

California State Personnel Board – Agenda
Board Meeting
April 14, 2009 – 10:00 a.m.

Public and Closed Session Location
801 Capitol Mall, Room 150
Sacramento, CA 95814

10:00 a.m. [Open Session](#)

Call to Order and Roll Call

I. Information and Discussion Items

- Report of the Executive Officer
- Report of the Acting Chief Counsel
- Report on Legislation
- Report on the California Public Employees Retirement System
- Report of the Department of Personnel Administration
- Report on the Human Resources Modernization Project
- Report on Three-Rank Eligible List Pilot Study
- Report of Cooperative Personnel Services
- New Business

[Attachment 1](#)

[Attachment 2](#)

II. Hearings and Oral Arguments

- 11:00 a.m.** • Oral Argument Case No. 07-1749PA
- 11:30 a.m.** • Oral Argument Case No. 05-3443PA
- 12:00 p.m.** • Oral Argument Case No. 06-2882A

12:30 p.m. [Closed Session and Lunch](#)

[Attachment 3](#)

- Employee Appointments, Disciplinary Matters, and Other Appeals (As set forth in Attachment 7)
- Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges (As set forth in Attachment 8)
- Pending Litigation
- Recommendations to the Legislature
- Recommendations to the Governor
- Employee Personnel Matter

1:30 p.m. [Open Session](#)

III. Hearings and Oral Arguments

- 1:30 p.m.** • PSC 08-13 – Appeal of the Employment Development Department from the Executive Officer's December 12, 2008 Disapproval of a Personal Services Contract for Information Technology Services.

[Attachment 4](#)

- 2:00 p.m. • PSC 09-01 – Appeal of the Department of General Services
From the Executive Officer's December 19, 2008,
Disapproval of a Personal Services Contract for Information
Technology Services. Attachment 5

2:30 p.m. Closed Session

- Employee Appointments, Disciplinary Matters, and Other Appeals (As set forth in Attachment 7)
- Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges (As set forth in Attachment 8)
- Pending Litigation
- Recommendations to the Legislature
- Recommendations to the Governor
- Employee Personnel Matter

2:45 p.m. Open Session

IV. Action Items

- Minutes From February 25, 2009 Board Meeting Attachment 6
- Minutes From March 10, 2009 Board Meeting Attachment 7
- Closed Session Minutes from February 25, 2009 and March 10, 2009
- Resolution Extending Time Pursuant to Government Code Section 18671.1 Attachment 8
- Non-Hearing Agenda Attachment 9
- Career Executive Assignment (CEA) Category Activity Attachment 10
- Hearing Agenda
 - 1. Submitted Items Attachment 11
 - 2. Evidentiary & Non-Evidentiary Cases Attachment 12
- Appointment of Chief Counsel

ADJOURNMENT

Any person with a disability who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, may submit a written or electronic request for such modification or accommodation to the State Personnel Board, Office of the Secretariat, 801 Capitol Mall, Sacramento, CA 95814, or to hcable@spb.ca.gov, no later than **five days** prior to the scheduled hearing date.

**Patricia Clarey
CalPERS Update
March 2009**

Election of Board Committee Chairs, Vice Chairs

The CalPERS Board elected leaders of several of its committees.

Investment Committee - George Diehr, Chair; Priya Mathur, Vice Chair

Health Benefits Committee - Priya Mathur, Chair; George Diehr, Vice Chair

Benefits and Program Administration Committee - Kurato Shimada, Chair; Rob Feckner, Vice Chair

Finance Committee - Tony Oliveira, Chair; Henry Jones, Vice Chair

Performance and Compensation Committee –Lou Moret, Chair; Priya Mathur, Vice Chair

CalPERS Total Fund

As of January 31, 2009, the total value of the fund was approximately \$173.6 billion. For the one year period ended January 31, 2009, the gross rate of return was approximately -27.93%. For the fiscal year to date period ended January 31, 2009, the rate of return was -26.50%.

General Pension Consultant Services Spring-Fed Pool Request for Proposal – Selection of Finalists/Contracts Award

The Board approved the staff-recommended finalists for the General Pension Consultant Spring-Fed Pool, agreed to forego the optional Committee interviews, and approved the award of contracts to all finalists. Twelve firms were selected to serve in one or more of the spring-fed pool's six service areas.

Global Equity Delegation for Manager Development Program and Emerging Manager Fund of Funds

The Board approved combining the policy ranges for Manager Development Program and Emerging Manager Fund of Funds into one policy range of 1% to 5% of total assets for emerging managers.

Electronic Funds Transfer

The Board approved staff's recommendation to sponsor legislation that would allow the Board to require contracting agencies to use Electronic Funds Transfer (EFT) for the payment of amounts due to CalPERS.

Proposed Amendments to Regulations for Risk Pools

The Board of Administration adopted the proposed amendments to regulations for Risk Pools (§ 588.1 and § 588.2 of Article 7.6 of Chapter 2 of Division 1 of Title 2 of the California Code of Regulations).

Release of Phase 2 and Update on Phase 1 of the Health Maintenance Organization Request for Proposal

The Board approved Phase 2 of the HMO RFP for release in April 2009.

2009-10 Proposed Federal Health Policy Legislative Priorities

The Board adopted the federal health policy priorities for 2009-10 and directed staff to monitor federal proposals based on these priorities.

2009-10 Proposed Health Policy Priorities for State Legislation Pursuant to Strategic Plan

The Board adopted the Health Policy Priorities for state legislation and directed staff to monitor state legislative proposals based on these priorities.



HR MODERNIZATION PROJECT ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF PERSONNEL ADMINISTRATION

MEMORANDUM



DATE: April 14, 2009

TO: Board Members

FROM: Michael Davis, Human Resources Modernization Project

SUBJECT: THREE-RANK ELIGIBLE LIST PILOT STUDY PROGRESS REPORT

During December 2008, the bulletin for the Human Resources Modernization Project's (HR Mod) entry-level Staff Counsel consortium was posted on the State Personnel Board's website as a continuous online examination; in only about 3 months, the examination has already generated more than 500 qualified eligibles. Continuous online examinations for the higher-level attorney classifications of Staff Counsel III and Staff Counsel IV are currently being developed by HR Mod in the near future. On the basis of the classifications' requirement that membership in the State Bar is a minimum qualification for all minimum qualifications patterns, those 3 HR Mod-sponsored examinations have been approved for inclusion in the Three-Rank Eligible List Pilot Study (Pilot Study). To date, a total of **25** departments have submitted registration forms and been approved to use the three-rank eligible list created by the Staff Counsel examination; those 25 departments are:

- Agricultural Labor Relations Board
- Department of Aging
- Air Resources Board
- California Public Employees Retirement System
- Department of Transportation
- State Controllers Office
- Department of Corrections and Rehabilitation
- Department of Developmental Services
- Office of Environmental Health Hazard Assessment
- Department of Fair Employment and Housing
- Fair Political Practices Commission
- Department of Finance
- Franchise Tax Board
- Department of General Services
- Department of Health Care Services
- Department of Housing and Community Development
- Department of Industrial Relations

Department of Motor Vehicles
Department of Personnel Administration
Public Employment Relations Board
Department of Real Estate
Secretary of State
Department of Social Services
State Teachers Retirement System
Department of Veterans Affairs.

Many of those 25 departments have also already completed the necessary registration for the 2 upcoming higher-level Staff Counsel examinations, as have the following additional departments:

Department of Conservation
Department of Corporations
California Victim Compensation and Government Claims Board

Altogether, a total of 28 have been approved to participate in the Pilot Study for at least one of the Staff Counsel examinations. A total of **16** of the 28 have been approved for Staff Counsel III and **11** for Staff Counsel IV.

In addition, HR Mod has also received 32 other Registration/Agreement Forms from various departments requesting the inclusion of an examination in the Pilot Study. Of the 32 requests, **15** are currently in the analysis/review process; **7** have been approved; **3** withdrew their individual examination requests to join the Staff Counsel consortium; **1** withdrew until the current eligible list for the classification is at least 12 months old and can be abolished; **4** were declined because the classifications are represented by Bargaining Unit 9; **1** was declined because the classification was managerial; and **1** was declined because it was submitted by an applicant for an examination rather than by a department.

Of the 7 approved examinations, **6** are for classifications that require a licensure, certification, or specialized advanced degree; those are:

Adoptions Specialist
Health Facilities Evaluator Nurse
Medical Consultant I
Medical Consultant I (Psychiatrist)
Senior Assistant Inspector General
Special Assistant Inspector General

The **1** other examination that has been approved for the Pilot Study is being administered to facilitate the employment of persons with specialized needs; it is Office Occupations Clerk.

To summarize, the examinations currently approved for inclusion in the Pilot Study, in alphabetical order, are as follows:

Adoptions Specialist
Health Facilities Evaluator Nurse
Medical Consultant I
Medical Consultant I (Psychiatrist)
Office Occupations Clerk
Senior Assistant Inspector General
Special Assistant Inspector General
Staff Counsel
Staff Counsel III
Staff Counsel IV

Additional progress reports concerning the Pilot Study will be provided during July and October 2008 and during January, April, and July 2010.

- **Employee Appointments, Disciplinary Matters, and Other Appeals**
Deliberations to consider matters submitted at prior hearing.
[Government Code Sections 1126(c)(3), 18653(3)]
- **Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges**
Deliberations on proposed, rejected, remanded, and submitted decisions, petitions for rehearing, and other matters related to cases heard by Administrative Law Judges of the State Personnel Board or by the Board itself.
[Government Code sections 11126(c)(3), 18653]
- **Pending Litigation**
Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.
[Government Code sections 11126(e), 18653.]

Patrick McCollum v. State of California
United States District Court, Northern District of California
Case No. C 04-03339 CRB

Plata, et al. v. Schwarzenegger, et al.
United States District Court, Northern District of California
Case No. C01-1351 TEH

Service Employees Local 1000 v. California Department of Education, et al.
Sacramento Superior Court Case No. 34-2009-00032144-CU-WM-GDS

Three Ranks Pilot Project

- **Recommendations to the Legislature**
Deliberations on recommendations to the Legislature.
[Government Code section 18653]
- **Recommendations to the Governor**
Deliberations on recommendations to the Governor.
[Government Code section 18653]
- **Employee Personnel Matter**
Discussion concerning the appointment and employment of the Chief Counsel.
[Government Code section 11125.2 and 11126(a)(1)]

NOTICE OF GOVERNMENT CODE SECTION 18671.1 RESOLUTION

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

GOVERNMENT CODE SECTION 18671.1 RESOLUTION

WHEREAS, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

WHEREAS, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

WHEREAS, the Agenda for the instant Board meeting included an item titled "Notice of Government Code section 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

WHEREAS, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

NON-HEARING AGENDA

The following proposals are made to the State Personnel Board by either the Board staff or Department of Personnel Administration staff. It is anticipated that the Board will act on these proposals without a hearing. Anyone with concerns or opposition to any of these proposals should submit a written notice to the Executive Officer clearly stating the nature of the concern or opposition. Such notice should explain how the issue in dispute is a merit employment matter within the Board's scope of authority as set forth in the State Civil Service Act (Government Code section 18500 et seq.) and Article VII of the California Constitution. Matters within the Board's scope of authority include, but are not limited to, personnel selection, employee status, discrimination and affirmative action. Matters outside the Board's scope of authority include, but are not limited to, compensation, employee benefits, position allocation, and organization structure. Such notice must be received not later than close of business on the Wednesday before the Board meeting at which the proposal is scheduled. Such notice from an exclusive bargaining representative will not be entertained after this deadline, provided the representative has received advance notice of the classification proposal pursuant to the applicable memorandum of understanding. In investigating matters outlined above, the Executive Officer shall act as the Board's authorized representative and recommend that the Board either act on the proposals as submitted without a hearing or schedule the items for a hearing, including a staff recommendation on resolution of the merit issues in dispute

A. BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.

(1) DEPARTMENT OF FORESTRY AND FIRE PROTECTION

The Department of Forestry and Fire Protection (CalFIRE) requests to revise the Air Operations Officer Series by updating the language and minimum qualifications based on a completed job analysis. Additionally, CalFIRE requests to revise the title of the series to Aviation Officer and to abolish the Air Operations Officer I classification which has not been used in over 20 years.

(2) DEPARTMENT OF FORESTRY AND FIRE PROTECTION

The Department of Forestry and Fire Protection (CalFIRE) requests to revise the Forester classification series by updating the language and minimum qualifications based on a recently completed job analysis. Additionally, CalFIRE requests the removal of footnote 24 from the Forester III classification to allow CalFIRE to use the class once again.

(3) TRI-AGENCY ONLINE COLLECTOR EXAMINATION

The Franchise Tax Board, the Employment Development Department and the Board of Equalization propose to abolish the existing eligible lists for the Tax Compliance Representative, Business Tax Representative, and the Compliance Representative, which are less than 12 months old, upon

establishment of their new Tri-Agency Online Collector examination. This examination meets the criteria for the Three Rank Eligible List Pilot Study as a consortium examination.

(4) BOARD OF EQUALIZATION

The Board of Equalization proposes to abolish the existing Tax Technician I eligible list, which is less than 12 months old, upon establishment of the new Tax Technician I online examination. The department has contracted with the State Personnel Board's Test, Validation, and Construction Unit to develop the new online exam process. This new examination will streamline testing by allowing candidates to take the exam via a paperless process; available on a continuous file, continuous testing basis; and receive their scores immediately.

(5) BOARD OF EQUALIZATION

The Board of Equalization (BOE) seeks to abolish the existing Tax Counsel eligible list which is currently less than 12 months old, upon receipt of approval to utilize the new Human Resource Modernization Attorney (Staff Counsel) online examination. The BOE participated in the development of the new Attorney (Staff Counsel) online examination and has requested approval to use the new Attorney (Staff Counsel) eligible list as an appropriate for all hires to the Tax Counsel classification.

(6) DEPARTMENT OF TRANSPORTATION

The California Department of Transportation (CalTrans) seeks abolishment of the existing CalTrans Maintenance Area Superintendent eligible list dated January 13, 2009, which is currently less than 12 months old, as the examination integrity was compromised due to breach in examination security. Additionally, CalTrans requests Board approval to test and establish a new eligible list as soon as the January 13, 2009 list is abolished.

B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.

THE DEPARTMENT OF PERSONNEL ADMINISTRATION AND STATE PERSONNEL BOARD proposes to abolish the following unused classifications, which have been vacant for more than twenty-four months. Departments that utilize the class as well as the appropriate union have no objection to the abolishment of these classes. When classes are proposed to be abolished which are part of a class series, and other classes within the series will continue to be used, the class specification is included in the board item.

NONE

C. BACKDATE OF APPOINTMENTS

State Personnel Board staff proposes the adoption of the following matters in which departments have requested an employee be appointed retroactively to a position. Staff has reviewed the following requests and has advised the Board of recommended action.

NONE

DATE: April 14, 2009

TO: STATE PERSONNEL BOARD

FROM: Kathy Darling
Classification and Compensation Division
Department of Personnel Administration

REVIEWED BY: Barbara Hudson
Classification and Compensation Division
Department of Personnel Administration

SUBJECT: Aviation Officer Series

SUMMARY OF ISSUES:

CalFIRE requests to revise the Air Operations Officer Series by updating the language and minimum qualifications based on a completed job analysis. Additionally, CalFIRE requests to revise the title of the series to Aviation Officer and to abolish the Air Operations Officer I classification which has not been used in over 20 years.

CONSULTED WITH:

Tony Favro, Classification Manager, CalFIRE
Cheryl Robertson, Personnel Officer, CalFIRE
Windy Bouldin, Classification Manager, CalFIRE
Scott Homquist, Assistant Deputy Director, Fire Protection, CalFIRE
Mike Padilla, Senior Air Operations Officer, CalFIRE
Donna Mink, Staff Services Manager, Examination Unit, CalFIRE
Rosalie Turbeville, Associate Personnel Analyst, Examination Unit, CalFIRE

In accordance with the terms of the DPA/BU 8 CDF Firefighters contract, DPA has notified the union in writing of this proposal. The CDF Firefighters Local 2881 is in agreement with the proposed changes.

CLASSIFICATION CONSIDERATIONS:

In 2005, the department, as part of the State Personnel Board's mandate to conduct internal job analysis of each department-specific and service-wide classification, conducted an analysis of the *Air Operations Officer* series to ensure the establishment of associated job-related and content-valid selection procedures. The job analysis reviewed literature relevant to the *Air Operations Officer* Series, including the existing series specification and CAL FIRE duties statements covering the different classifications involved in the study. CAL FIRE Human Resources staff also met with consultants and subject matter experts to develop inventories of tasks and knowledge, skills, and abilities (KSAs) that reflected current requirements for successful job performance in each analyzed classification; to identify essential tasks and required KSAs; to link the tasks to the KSAs; and to identify other issues within the series.

As a result of the job analysis, the department identified the changes that need to be made to the *Air Operations Officer* series. The attached proposal (Part B) will provide you with specific detail regarding the following changes:

- a. Abolish the *Air Operations Officer I* classification. The department is not currently using this classification, it has not used it in the last 20 years, and it does not plan to use it in the future.
- b. Remove from the minimum qualifications the requirement for a Federal Aviation Administration (FAA) and/or Airline Transport Pilot certification and flight hour requirements for the *Air Operations Officer II - Maintenance* and the *Air Operations Officer III -Maintenance*. The job analysis found that there are no tasks associated with flying for these classifications.
- c. Modify the amount of flight hours in the minimum qualifications for *Senior Air Operations Officer* to increase the flight time from 1,500 hours to 2,000 hours.
- d. Add the requirement for a valid FAA Inspection Authorization (IA) certification to the minimum qualifications for *Air Operations Officer III –Maintenance* and *Senior Air Operations Officer*.
- e. Add the requirement for a valid and current second-class Airman's Medical Certificate issued by the FAA to the minimum qualifications for *Air Operations Officer II* and *Air Operations Officer III* and *Senior Air Operations Officer*. This certification is already required by the FAA for all pilots and is part of the approved Physical/Mental Stress Descriptions required of these classifications.
- f. Update terminology throughout the specification to be more specific and consistent with industry terminology.
- g. Update the knowledge, skills, and abilities for all classifications in the series as a result of the job analysis.
- h. Rename the classifications in the series to Aviation Officer (Maintenance) or Aviation Officer (Flight Operations) and Senior Aviation Officer.

RECOMMENDATIONS:

1. That the class of Air Operations Officer I be abolished.
2. That the titles of the following classes be changed as indicated; and the proposed revised specification for these classes as shown in this calendar be adopted:

<u>From</u>	<u>To</u>
Air Operations Officer I – Maintenance	Aviation Officer I (Maintenance)
Air Operations Officer II	Aviation Officer II (Flight Operations)
Air Operations Officer II – Maintenance	Aviation Officer II (Maintenance)
Air Operations Officer III	Aviation Officer III (Flight Operations)
Air Operations Officer III - Maintenance	Aviation Officer III (Maintenance)
Senior Air Operations Officer	Senior Aviation Officer

CLASSIFICATION CONSIDERATIONS

Instructions: Complete after if Concept (Part A) is approved by DPA. Answer all applicable questions, providing enough information to support your proposal. Return this with a signed transmittal form to your DPA and SPB Analysts.

Background

1. Provide some historical perspective about the organizational setting of the subject class(es) and the needs that this request addresses.

The Department of Forestry and Fire Protection (CAL FIRE) is an emergency response and forest resource/watershed protection department. CAL FIRE serves and safeguards the people and protects the property and natural resources of California.

CAL FIRE's Aviation Management Unit provides aerial support of the department's ground forces in delivering fire protection and emergency response services for private and State-owned forest, range, and watershed lands. CAL FIRE responds to more than 5,600 wildland fires that burn over 172,000 acres each year. In addition, department personnel answer the call more than 300,000 times per year for other emergencies including structure fires, automobile accidents, medical aids, swift water rescues, civil disturbances, search and rescues, hazardous material spills, train wrecks, floods, and earthquakes.

CAL FIRE's aerial fire fighting fleet consists of 23 Grumman S-2T 1,200 gallon airtankers, 11 UH-1H Super Huey helicopters, and 14 OV-10A air tactical aircraft that operate from 13 air attack and nine helitack bases located throughout the state. These aircraft can reach most fires within 20 minutes. The air tactical aircraft fly overhead directing the airtankers and helicopters to critical areas of a fire for retardant and water drops. While both airtankers and helicopters are equipped to carry fire retardant and water, the helicopters can also transport firefighters, equipment, and injured personnel.

These aircraft are supported by the Aviation Management Unit, which is comprised of over 18 permanent state employees and 130 contract employees. Primary among the state positions are the classifications within the *Air Operations Officer* Series. These classifications perform work concerned with the development and management of the Aviation Management Unit.

Air Operations Officers are responsible for preparing contractual specifications; developing minimum standards for aircraft and pilot qualifications; providing guidance and supervision to pilots and mechanics; soliciting bids and negotiating air services contracts; inspecting aircraft and pilots; designing and developing specialized aircraft and attachments; developing air base facilities; acting as liaisons with Federal and State aviation agencies, other forestry agencies, and aircraft operators; investigating incidents or accidents involving aircraft; developing and implementing statewide training programs on air attack methods; coordinating air attack operations on large and complex fires; coordinating the use of aircraft on reseeding and spraying projects; and acquiring,

distributing, and maintaining aircraft parts, components and systems for State-owned aircraft.

Typical *Air Operations Officer* work assignments include providing advice and counsel to the department regarding aviation matters and contractual specifications. *Air Operations Officers* also provide guidance to and oversight of pilots and mechanics, conduct and oversee aircraft inspection and maintenance of aircraft parts and components for departmental aircraft, and implement statewide aviation operation and safety training programs.

In 2005, the department, as part of the State Personnel Board's mandate to conduct internal job analysis of each department-specific and service-wide classification, conducted an analysis of the *Air Operations Officer* series to ensure the establishment of associated job-related and content-valid selection procedures. The job analysis reviewed literature relevant to the *Air Operations Officer* Series, including the existing series specification and CAL FIRE duties statements covering the different classifications involved in the study. CAL FIRE Human Resources staff also met with consultants and subject matter experts to develop inventories of tasks and knowledge, skills, and abilities (KSAs) that reflected current requirements for successful job performance in each analyzed classification; to identify essential tasks and required KSAs; to link the tasks to the KSAs; and to identify other issues within the series.

As a result of the job analysis, the department identified the following changes that need to be made to the *Air Operations Officer* series:

- a. Abolish the *Air Operations Officer I* classification. The department is not currently using this classification, it has not used it in the last 20 years, and it does not plan to use it in the future.

Originally, the *Air Operations Officer I* classification was established to function as a lead pilot providing technical instructions, guidance, and direction to the department's contract pilots. The classification was intended to be used to help develop and administer pilot training and qualification programs; monitor and schedule pilot duty assignments; and act as relief and primary pilot of State-owned aircraft.

However, these duties have traditionally been assigned to a position within the department's aircraft services contract, which is why CAL FIRE has not used the classification. The current aircraft services contract contains two lead pilot positions, one for air tactical aircraft and one for airtankers. Although the department has made efforts in the past to convert these positions to state positions, it has not been successful. Thus, CAL FIRE is recommending the abolishment of the *Air Operations Officer I* classification.

- b. Remove from the minimum qualifications the requirement for a Federal Aviation Administration (FAA) and/or Airline Transport Pilot certification and flight hour requirements for the *Air Operations Officer II - Maintenance* and the *Air Operations Officer III - Maintenance*. The job analysis found that there are no tasks associated with flying for these classifications.

The focus of the maintenance classifications within the *Air Operations Officer* series is on maintenance of the aircraft, not on the tactical operations of aircraft. Maintenance officers provide guidance and direction to department staff and contract mechanics in all phases of maintenance, modifications, and care of the department's aircraft. They also direct the overhaul and repair of aircraft, engines, and components and conduct maintenance inspections.

Although incumbents in the maintenance classes who do have their pilot's licenses may perform pilot duties from time to time, they are not required to pilot aircraft as a regular part of their duties. This was supported by the findings of the recent job analysis. As such, while possession of valid Airframe and Powerplant (A&P) rating is critical to the performance of their duties, the possession of a commercial pilot license, airline transport pilot certificate, or commercial airman certificate is not necessary.

By the same token, because the focus of the maintenance officer positions is on maintenance of the aircraft and not on flight operations, there is no need to require the performance of watershed and fire protection duties in the minimum qualifications for the *Air Operations Officer – Maintenance* classifications. Thus, CAL FIRE proposes to remove that requirement from the minimum qualifications for *Air Operations Officer II – Maintenance* and *Air Operations Officer III – Maintenance*.

- c. Modify the amount of flight hours in the minimum qualifications for *Senior Air Operations Officer* to increase the flight time from 1,500 hours to 2,000 hours.

The current flight hour requirements for classifications within the *Air Operations Officer* series do not reflect a logical increase in the number of required hours commensurate with an increase in responsibility. For example, the current requirement for *Air Operations Officer I* is 2,000 hours, while the requirement for *Air Operations Officer II* is 1,000 hours, and the requirement for *Air Operations Officer II – Maintenance*, *Air Operations Officer III*, *Air Operations Officer III – Maintenance*, and *Senior Air Operations Officer* is 1,500 hours. CAL FIRE believes that the flight hour requirement should reflect an increasing level of experience; therefore, the number of flight hours required should increase consistently as an incumbent rises through the levels of the series.

Since the department is proposing to abolish the *Air Operations Officer I* classification and remove the flight hour requirement from the *Air Operations Officer II – Maintenance* and *Air Operations Officer III – Maintenance* classifications (the requirement does not currently exist for the *Air Operations Officer I – Maintenance*), the flight hour requirement in the proposed series specification will begin at the *Air Operations Officer II* level. And to reflect an increased flight hour requirement that is commensurate with a higher level of experience, CAL FIRE proposes to increase the flight hour requirement for the *Senior Air Operations Officer* from 1,500 hours to 2,000 hours. Thus, the requirement for *Air Operations Officer II* will be 1,000 hours, the requirement for *Air Operations Officer III* will be 1,500 hours, and the requirement for *Senior Air Operations Officer* will be 2,000 hours.

- d. Add the requirement for a valid FAA Inspection Authorization (IA) certification to the minimum qualifications for *Air Operations Officer III –Maintenance* and *Senior Air Operations Officer*.

The FAA initiated the issuance of Inspection Authorization (IA) certificates more than 35 years ago. The holder of an IA certificate may inspect and approve for return to service any aircraft or related part or appliance after a major repair or major alteration. In addition, an IA may perform an annual inspection and may supervise or perform a progressive inspection.

While Airframe & Powerplant (A&P) mechanic is the basic certification, the IA certification represents the next level and is available to A&P mechanics who meet certain additional experience and knowledge requirements. Attainment of an IA permits an A&P mechanic to perform a greater variety of maintenance and alterations than any other single maintenance entity.

With the removal of the pilot license requirement from the *Air Operations Officer II – Maintenance* and *Air Operations Officer III – Maintenance* classifications, CAL FIRE believes that inclusion of the IA requirement demonstrates an increase in responsibilities that goes beyond time in grade. And since the *Air Operations Officer III – Maintenance* and *Senior Air Operations Officer* will perform a higher level of work than the lower levels in the series, CAL FIRE believes that it is appropriate to include this requirement for those classifications.

- e. Add the requirement for a valid and current second-class Airman's Medical Certificate issued by the FAA to the minimum qualifications for *Air Operations Officer II* and *Air Operations Officer III* and *Senior Air Operations Officer*. This certification is already required by the FAA for all pilots and is part of the approved Physical/Mental Stress Descriptions required of these classifications.

This requirement has long been a part of the minimum qualifications for CAL FIRE's *Forestry Fire Pilot* classification, but not for the *Air Operations Officer* series. The FAA Airman's Medical Certification is a standard federal requirement for pilots, and the Aviation Management Unit, in adhering to FAA guidelines, has always required all of its pilots to have this certification.

Because the *Air Operations Officer II*, *Air Operations Officer III*, and *Senior Air Operations Officer* classifications are required to have pilots licenses and may perform pilot duties, it is appropriate to include this certification as part of the minimum qualifications for these classifications.

- f. Update terminology throughout the specification to be more specific and consistent with industry terminology.
- g. Update the knowledge, skills, and abilities for all classifications in the series as a result of the job analysis.
- h. Rename the classifications in the series as follows:
 - 1. *Air Operations Officer I* to be abolished.

2. *Air Operations Officer II to Aviation Officer II (Flight Operations).*
3. *Air Operations Officer III to Aviation Officer III (Flight Operations).*
4. *Air Operations Officer I - Maintenance to Aviation Officer I (Maintenance).*
5. *Air Operations Officer II - Maintenance to Aviation Officer II (Maintenance).*
6. *Air Operations Officer III - Maintenance to Aviation Officer III (Maintenance).*
7. *Senior Air Operations Officer to Senior Aviation Officer.*

Classification Considerations

2. What classification(s) does the subject class(es) report to?

Currently, the classifications of *Air Operations Officer I*, *Air Operations Officer I – Maintenance*, *Air Operations Officer II*, *Air Operations Officer II – Maintenance*, *Air Operations Officer III*, and *Air Operations Officer III – Maintenance* report to the *Senior Air Operations Officer*. The *Senior Air Operations Officer* reports to the Assistant Deputy Director for Operations (Career Executive Assignment (CEA), level 2).

This proposal does not change any of the reporting relationships for classifications within the series.

3. Will the subject class(es) supervise? If so, what class(es)?

The classifications of *Air Operations Officer I*, *Air Operations Officer I – Maintenance*, *Air Operations Officer II*, *Air Operations Officer II – Maintenance*, *Air Operations Officer III*, and *Air Operations Officer III – Maintenance* are all rank-and-file and do not supervise.

The *Senior Air Operations Officer* is the sole supervisory classification in the series and, as such, supervises all of the subordinate classifications (*Air Operations Officer I*, *Air Operations Officer I – Maintenance*, *Air Operations Officer II*, *Air Operations Officer II – Maintenance*, *Air Operations Officer III*, and *Air Operations Officer III – Maintenance*).

The classifications of *Air Operations Officer II – Maintenance*, *Air Operations Officer III*, and *Air Operations Officer III – Maintenance* may be tasked to assist the *Senior Air Operations Officer* in providing direction to contract employees and subordinate *Air Operations Officer* staff in the performance of their daily duties.

The proposal does not change the collective bargaining designation of any of the classifications within the series.

4. What are the specific duties of the subject class(es)?

CAL FIRE is recommending the abolishment of the *Air Operations Officer I* classification.

Incumbents at the *Air Operations Officer I – Maintenance* (to be retitled *Aviation Officer I (Maintenance)*) level act as the lead mechanic or shop foreperson directing a group of contract or State mechanics working on State-owned or contracted aircraft; perform maintenance and maintenance inspections on such aircraft; perform modifications and/or direct performance of modifications to aircraft used in department programs. Work described may be accomplished at both central maintenance facilities and remote operational locations.

Incumbents at the *Air Operations Officer II* (to be retitled *Aviation Officer II (Flight Operations)*) level develop and implement standard flight operational procedures; train and evaluate pilots, and ensure that pilots perform their duties in accordance with Federal, State, and departmental rules, regulations, procedures, and directives. Incumbents are also involved in assigned study projects prepare recommendations on the use of specialized aircraft, modifications of aircraft, and development of methods and procedures for air operations; perform qualification and flight standardization checks for pilots; develop and monitor aviation training programs; evaluate effectiveness of air operations; as needed act as relief and primary pilot of State-owned and contracted aircraft in the performance of fire suppression and vegetation management projects; ensure that the department's Aviation Management Program is conducted in a safe manner and in compliance with applicable mandates; monitor and assure contractor compliance with provisions of various agreements with the department; and do other related work.

Incumbents at the *Air Operations Officer II – Maintenance* (to be retitled *Aviation Officer II (Maintenance)*) level provide guidance and direction to department staff and contractors in all phases of maintenance, modification, and care of State-owned and contracted aircraft, direct the overhaul and repair aircraft, engines, and components for State-owned or contracted aircraft; conduct inspections of State-owned or contracted aircraft; and do other related work. Work described may be accomplished at both central maintenance facilities and remote operational locations.

Incumbents at the *Air Operations Officer III* (to be retitled *Aviation Officer III (Flight Operations)*) level plan and direct departmental staff and contractors in the use of aircraft; perform contract development, implementation, and administration; provide advice and counsel to the Senior Aviation Officer regarding aircraft operations; recommend and assist in developing policies and guidelines in all phases of flight operations for State-owned and contracted aircraft; develop, implement, and oversee flight standards and training programs; ensure that all pilots who fly department aircraft comply with minimum training and proficiency requirements; as needed act as relief and primary pilot of State-owned and contracted aircraft in the performance of fire suppression and vegetation management projects; provide technical assistance to aircraft accident investigative teams; assist in the acquisition of aircraft; monitor, evaluate, and make recommendations for improving aircraft equipment, safety equipment, and the air program relative to flight operations; plan and administer the budget for the flight operations program; and do other related work. This classification will provide guidance and function as a lead person to *Aviation Officers II (Flight Operations)* in carrying out their duties.

Incumbents at the *Air Operations Officer III – Maintenance* (to be retitled *Aviation Officer III (Maintenance)*) level plan, organize, and direct department staff and contractors in the aviation maintenance and aircraft modifications for the department; perform contract

development, implementation, and administration; provide advice and counsel to the *Senior Aviation Officer* regarding aircraft maintenance; recommend and assist in the development of policies and guidelines in all phases of maintenance of State-owned and contracted aircraft; plan and administer the budget for the maintenance program; and do other related work. This classification will provide guidance and function as lead person to *Aviation Officers II (Maintenance)* in carrying out their duties.

Incumbents at the *Senior Air Operations Officer* (to be retitled *Senior Aviation Officer*) level supervise, plan, organize, and direct CAL FIRE's Aviation Management Program and are responsible for the overall administration and oversight of the Aviation Management Program contractual agreements to assure adherence to terms and conditions, as well as performance; provide primary leadership for the Aviation Management Program; ensure that missions are conducted in a safe manner and in compliance with Federal, State, and department regulations, and in compliance with manufacturer directives. Incumbents approve minimum standards and contractual specifications; coordinate with CAL FIRE's Management Services Program on bid solicitation and the negotiation of contracts with aircraft operators; evaluate operational requirements of aerial firefighting aircraft; conduct boards of review on incidents and accidents involving aircraft and participates in joint-agency boards of review; represent the department in meetings, conferences, and public appearances related to the Aviation Management Program; maintain liaison with other governmental agencies, contractors, and other organizations; plan and administer the statewide budget for the entire Aviation Management Program; administer the Aviation Safety Program statewide; advise, consult, and make recommendations to department executive management concerning aviation policies and procedures; provide guidance and supervision to *Aviation Officers*; and do other related work. Incumbents may pilot aircraft as necessary.

5. What is the decision-making responsibility of the subject class(es)?

In the Aviation Management Unit, classifications in the *Air Operations Officer - Maintenance* series are responsible to oversee the work of contract aircraft maintenance leads and mechanics and to provide guidance on the proper methods of maintaining air tankers, air attack aircraft, and helicopters in accordance with established procedures of the department, the manufacturer, and the FAA. Classifications in this series are also responsible to project the program needs regarding labor and materials and to assess the long term requirements for aircraft availability. Positions in these classifications make budgetary decisions related to the expenditure of general funds and emergency funds and determine funding priorities for aircraft commodities procurement and related repair services for both scheduled and unscheduled aircraft maintenance.

Classifications in the *Air Operations Officer - Maintenance* series also plan and direct the entire aviation maintenance program for the department. These classifications are responsible for the entire success or failure of the state's available aerial fire fighting aircraft resources relevant to meeting the maintenance requirements as established in department, manufacturer, and federal guidelines, rules, and procedures. They also inspect aircraft and card aircraft that operate under State and Federal contracts.

In the field and at the air attack bases and helitack bases classifications in the *Air Operations Officer - Maintenance* series also provide direction to base mechanics on the proper methods and means for the repair of airplanes and helicopters as well as direct

base personnel on the proper handling and storage of aircraft while deployed to the base. They are also tasked with aircraft accident and incident investigations and field evaluations of the performance of the aircraft.

In the Aviation Management Unit, classifications in the *Air Operations Officer* series are primarily responsible for the safety, training, and evaluation of both the contract and state employed pilots who operate the department's aerial fire fighting aircraft. Positions in these classifications make decisions regarding the expenditure of both general and emergency funds as they relate to the operations of department's tactical fire fighting aircraft.

Classifications in the *Air Operations Officer* series also organize, plan, and direct the department's flight operations program to specifically include aviation safety, tactical aviation operations, contracted aircraft agreements, contract county and private contract pilot approvals for interagency operations, annual pilot and aircrew training, aircraft accident and incident investigation, aviation research and development, aerial chemical retardant application, and field evaluations of airbase and helibase operations and training.

In the Aviation Management Unit, the *Senior Air Operations Officer* has the authority to plan, manage, and administer all of the unit's programs, including administration, aircraft maintenance, pilot and aircrew training and evaluations, facility management, and research and development. Independent decisions include ability to implement as appropriate department policies and procedures, federal aviation regulations, and interagency guidelines and procedures as they relate to all aspects of the department's aerial fire fighting program.

6. What would be the consequence of error if incumbents in the subject class(es) did not perform their jobs? (Program problems, lost funding, public safety compromised, etc.)

Classifications in the *Air Operations Officer - Maintenance* series are responsible to ensure that the critical aircraft maintenance work is performed to department, manufacturer, and FAA standards and that the aircraft is airworthy prior to it being released to the field. Aircraft that are flown that do not meet these standards could experience in-flight catastrophic failures resulting in the loss of life and property.

Statewide, the inability to provide the appropriate aircraft in a timely manner could result in adversely impacting the department's emergency response mission.

In the Aviation Management Unit, classifications in the *Air Operations Officer - Maintenance* series are responsible for the overall management of the unit's maintenance budget, which includes verification of contractor expenditures as well as projecting budget needs for continued maintenance operations. Improper fiscal analysis or failure to properly monitor contractor expenditures could result in serious loss of funding resources or improper payment to vendors and contractors for goods and services. Loss of funding will adversely impact the units and the department's ability to respond to emergencies.

Classifications in the *Air Operations Officer* series are responsible to ensure that both the contract and state employed pilots are qualified, current, and proficient in the

operation of the department's aerial fire fighting aircraft. Using pilots that do not meet the department's standards could lead to aircraft accidents or incidents resulting in the loss of life or property.

Statewide, the inability to provide the appropriately qualified pilots would adversely impact the department's emergency response mission.

In the Aviation Management Unit, classifications in the *Air Operations Officer* series are responsible for the overall management of the unit's flight operations budget which includes verification of contractor expenditures as well as projecting budget needs for continued operations. Improper fiscal analysis or failure to properly monitor contractor expenditures could result in serious loss of funding resources or improper payment to vendors and contractors. Loss of funding will adversely impact the unit's and the department's ability to respond to emergencies.

Inappropriate actions and decision on the part of the *Senior Air Operations Officer* could compromise the successful operation of the unit, adversely impacting CAL FIRE's emergency response.

In carrying out its fire protection mission, CAL FIRE relies heavily on the *Senior Air Operations Officer* to ensure that the department has the appropriate level of aviation resources ready and able to meet its emergency response mission and to work closely with its regional offices, as well as other state, local and federal aviation entities to meet these needs. Not being prepared with the appropriate level of resources could be detrimental to the department's emergency response mission.

7. What are the analytical requirements expected of incumbents in the subject class(es)?

Classifications in the *Air Operations Officer – Maintenance* and *Air Operations Officer* series must be able to interpret and implement department, state, and federal rules, regulations, policies, contracts, and procedures relevant to the maintenance and operation of aircraft and helicopters used by the department in its aerial fire fighting function. Positions in this classification must demonstrate leadership and effectively plan and organize aircraft maintenance and aviation operations programs; and analyze and ensure that pilots and aircraft are ready to respond to fires and other emergencies.

The *Senior Air Operations Officer* must be able to interpret and implement department, state, and federal policies, procedures, guidelines, rules, and regulations as they apply to not only aviation matters but also to property management, budget, procurement, personnel, training, contracts, worker health and safety, and labor relations. The *Senior Air Operations Officer* is required to evaluate and plan for the unit, reason logically and creatively, resolve complex governmental and managerial problems, and formulate and administer department policies and programs.

8. What are the purpose, type, and level of contacts incumbents in the subject class(es) make?

Classifications in the *Air Operations Officer - Maintenance* series have continuous contact with the onsite aircraft maintenance and service contractors and contract maintenance employees, as well as a numerous offsite subcontractors regarding level

of service and appropriate standards for services and product specifications. Classifications in this series also routinely interact with the FAA regarding compliance with federal aviation regulations regarding aircraft maintenance and State and Federal contracts.

Classifications in the *Air Operations Officer* series have frequent contact with regional operational staff and state and federal agencies such as the U.S. Forest Service, the U.S. Bureau of Land Management, the State Office of Emergency Services, city and county fire departments, the U.S. Department of Defense, U. S. Navy, and the California National Guard. The purpose of these contacts is to develop and coordinate various operational agreements and to provide guidance and training to appropriate aircrews and support functions relative to aerial fire fighting activities.

The *Senior Air Operations Officer* has frequent contact with the same agencies, departments, and aircraft maintenance contractors as the rest of the classifications in the Air Operations Officer series but also interacts at the corporate level with businesses, agency directorships, and department heads. The *Senior Air Operations Officer* also maintains contacts with other states' aviation managers and federal agency national managers and directors. The *Senior Air Operations Officer* represents the department regarding aviation activities with the Governor's Office and is a department representative at national and international interagency committees and conferences for aviation issues.

Need for New Class (if necessary)

9. **For new classes only: what existing classes were considered and why were they not appropriate?**

Not applicable.

Minimum Qualifications

10. **What are the proposed or current minimum qualifications of the subject class(es), and why are they appropriate? (Include inside and outside experience patterns.)**

(1) The proposed minimum qualifications for *Aviation Officer I (Maintenance)* (formerly *Air Operations Officer I – Maintenance*) are as follows:

AVIATION OFFICER I (MAINTENANCE)

Possession of a valid Airframe and Powerplant (A&P) rating.

and

A minimum of two years experience performing the duties of an A&P mechanic.

What has changed: The proposed minimum qualifications no longer includes the phrase "comparable military aircraft maintenance experience may be substituted." During its review of the series specification, CAL FIRE determined that this phrase is

extraneous, does not add any value to the minimum qualifications, and is, therefore, not necessary.

- (2) The proposed minimum qualifications for *Aviation Officer II (Flight Operations)* (formerly *Air Operations Officer II*) are as follows:

AVIATION OFFICER II (FLIGHT OPERATIONS)

Possession of the following certificates:

A valid and current second-class Airman's Medical Certificate issued by a Federal Aviation Administration (FAA) authorized examiner.

and

1. A valid FAA Commercial Pilot Certificate (Commercial) with multi-engine land airplane and instrument ratings. or
2. A valid FAA Airline Transport Pilot (ATP) Certificate with multi-engine land airplane ratings and instrument ratings. or
3. A valid FAA Commercial Airman Certificate with a helicopter-rotorcraft class rating. or
4. A valid ATP Certificate with helicopter-rotorcraft class rating.

and

1,000 hours in command of aircraft (fixed- or rotary- wing).

and

Either I

One year of experience in the California state service performing the duties of an Aviation Officer II (Maintenance). (Applicants who have completed six months of service performing the duties of an Aviation Officer II (Maintenance) will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)

Or II

One year of experience in government service performing watershed and fire protection duties which have included a full-time assignment as a base manager or an air attack coordinator during the declared fire season.

Or III

Five hundred additional hours in command of either fixed- or rotary-wing aircraft performing low-level missions (e.g., wildland fire control, external loads, medi-vac operations, search and rescue, aerial surveys, etc.).

What has changed: The proposed minimum qualifications now include the requirement for an Airman's Medical Certification requirement. This requirement has

long been a part of the minimum qualifications for CAL FIRE's Forestry Fire Pilot classification, but not for the *Air Operations Officer* series. The FAA Airman's Medical Certification is a standard federal requirement for pilots, and the Aviation Management Unit, in adhering to FAA guidelines, has always required all of its pilots to have this certification.

The proposed minimum qualifications no longer include the requirement for 100 flight hours in last 12 months. In reviewing these requirements, the department feels that currency should not be required as a minimum qualification, as it can be gained on the job to make the employee ready to pilot state aircraft.

The proposed minimum qualifications have combined pattern II and III. CAL FIRE feels that the two patterns were similar enough to be combined and that one year is sufficient time to gain the experience needed.

- (3) The proposed minimum qualifications for *Aviation Officer II (Maintenance)* (formerly *Air Operations Officer II – Maintenance*) are as follows:

AVIATION OFFICER II (MAINTENANCE)

Possession of a valid A&P rating.

and

Either I

One year of experience in the California state service performing the duties of an Aviation Officer I (Maintenance). (Applicants who have completed six months of service performing the duties of an Aviation Officer I (Maintenance) will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)

Or II

Three years of experience performing the duties of an A&P mechanic.

What has changed: The proposed minimum qualifications no longer include the requirement for a valid FAA Commercial Airman Certificate or Airline Transport Pilot Certificate and 1,500 hours in command of fixed or rotary wing aircraft. The focus of the maintenance classifications within the *Air Operations Officer* series is on maintenance of the aircraft, not on the tactical operations of aircraft. Maintenance officers provide guidance and direction to department staff and contract mechanics in all phases of maintenance, modifications, and care of the department's aircraft. They also direct the overhaul and repair of aircraft, engines, and components and conduct maintenance inspections.

Although incumbents in the maintenance classes who do have their pilot's licenses may perform pilot duties from time to time, they are not required to pilot aircraft as a regular part of their duties. This was supported by the findings of the recent job analysis. As such, while possession of valid Airframe and Powerplant (A&P) rating is critical to the performance of their duties, the possession of a commercial pilot license, airline transport pilot certificate, or commercial airman certificate is not necessary.

The proposed minimum qualifications no longer include the phrase “comparable military aircraft maintenance experience may be substituted.” During its review of the series specification, CAL FIRE determined that this phrase is extraneous, does not add any value to the minimum qualifications, and is, therefore, not necessary.

The proposed minimum qualifications also no longer include the requirement of one year as an *Air Operations Officer I*. Since CAL FIRE is proposing to abolish this classification, there is no longer any reason to include it in the minimum qualifications.

The proposed minimum qualifications no longer include the requirement of one year of experience performing watershed and fire protection duties. Because the focus of the maintenance officer positions is on maintenance of the aircraft and not on flight operations, there is no need to require the performance of watershed and fire protection duties in the minimum qualifications for the *Air Operations Officer – Maintenance* classifications.

The proposed minimum qualifications no longer include the requirement for two years of increasingly responsible experience in the management and supervision of aircraft maintenance operations within the past five years. This requirement was removed from the minimum qualifications for the *Air Operations Officer II – Maintenance* but left in the minimum qualifications for the *Air Operations Officer III – Maintenance*. After reviewing the job analysis, CAL FIRE feels that three years of experience performing the duties of an A&P mechanic is a sufficient outside pattern for the work to be performed at this level. CAL FIRE feels that experience in the management and supervision of aircraft maintenance operations is more relevant for the *Air Operations Officer III – Maintenance* level.

- (4) The proposed minimum qualifications for *Aviation Officer III (Flight Operations)* (formerly *Air Operations Officer III*) are as follows:

AVIATION OFFICER III (FLIGHT OPERATIONS)

Possession of the following certificates:

A valid and current second-class Airman’s Medical Certificate issued by a FAA authorized examiner.

and

1. A valid FAA Commercial Certificate with multi-engine land airplane and instrument ratings. or
2. A valid FAA ATP Certificate with multi-engine land airplane ratings and instrument ratings. or
3. A valid FAA Commercial Airman Certificate with a helicopter-rotorcraft class rating. or
4. A valid ATP Certificate with helicopter-rotorcraft class rating.

and

1,500 hours in-command of aircraft (fixed- or rotary-wing).

and

Either I

One year of experience in the California state service performing the duties of an Aviation Officer II (Flight Operations) or Aviation Officer II (Maintenance). (Applicants who have completed six months of service performing the duties of an Aviation Officer II will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)

Or II

Two years of experience in government service performing watershed and fire protection duties which have included a full-time assignment as a base manager or an air attack coordinator during the declared fire season.

Or III

Five hundred additional hours in command of either fixed- or rotary- wing aircraft performing low-level missions (e.g., wildland fire control, external loads, medi-vac operations, search and rescue, aerial surveys, etc.).

and

One year of experience in developing and directing training programs for pilot proficiency in use of aircraft in specialized air operations; or managerial experience in military, government, or commercial air services.

What has changed: The proposed minimum qualifications now include the requirement for an Airman's Medical Certification requirement. This requirement has long been a part of the minimum qualifications for CAL FIRE's Forestry Fire Pilot classification, but not for the *Air Operations Officer* series. The FAA Airman's Medical Certification is a standard federal requirement for pilots, and the Aviation Management Unit, in adhering to FAA guidelines, has always required all of its pilots to have this certification.

The proposed minimum qualifications have changed wording on Pattern II, removing the reference to State Forest Ranger I and adding reference to a full-time assignment as a base manager or an air attack coordinator. The classification of State Forest Ranger I has been retitled to Battalion Chief, but more importantly, CAL FIRE feels that the text added more clearly describes the type of relevant experience that a candidate coming under this pattern would need to have. Base manager and air attack coordinator are positions typically assigned to Battalion Chiefs.

- (5) The proposed minimum qualifications for *Aviation Officer III (Flight Operations)* (formerly *Air Operations Officer III – Maintenance*) are as follows:

AVIATION OFFICER III (MAINTENANCE)

Possession of a valid A&P rating and a valid FAA Inspection Authorization (IA).

and

Either I

One year in the California state service performing the duties of an Aviation Officer II (Maintenance). (Applicants who have completed six months of service performing the duties of an Aviation Officer II (Maintenance) will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)

Or II

Four years of experience performing the duties of an A&P mechanic and any combination of the following:

1. One year of experience in the California state service performing the duties of an Aviation Officer II (Flight Operations). Or
2. Three years of increasingly responsible experience in the management and supervision of aircraft maintenance operations within the past five years.

What has changed: The proposed minimum qualifications no longer include the requirement for a valid FAA Commercial Airman Certificate or Airline Transport Pilot Certificate and 1,500 hours in command of fixed or rotary wing aircraft. The focus of the maintenance classifications within the *Air Operations Officer* series is on maintenance of the aircraft, not on the tactical operations of aircraft. Maintenance officers provide guidance and direction to department staff and contract mechanics in all phases of maintenance, modifications, and care of the department's aircraft. They also direct the overhaul and repair of aircraft, engines, and components and conduct maintenance inspections.

Although incumbents in the maintenance classes who do have their pilot's licenses may perform pilot duties from time to time, they are not required to pilot aircraft as a regular part of their duties. This was supported by the findings of the recent job analysis. As such, while possession of valid Airframe and Powerplant (A&P) rating is critical to the performance of their duties, the possession of a commercial pilot license, airline transport pilot certificate, or commercial airman certificate is not necessary.

The proposed minimum qualifications no longer include the phrase "comparable military aircraft maintenance experience may be substituted." During its review of the series specification, CAL FIRE determined that this phrase is extraneous, does not add any value to the minimum qualifications, and is, therefore, not necessary.

The proposed minimum qualifications no longer include the requirement of two years of experience performing watershed and fire protection duties. Because the focus of the maintenance officer positions is on maintenance of the aircraft and not on flight operations, there is no need to require the performance of watershed and fire protection duties in the minimum qualifications for the *Air Operations Officer – Maintenance* classifications.

- (6) The proposed minimum qualifications for *Senior Aviation Officer* (formerly *Senior Air Operations Officer*) are as follows:

SENIOR AVIATION OFFICER

Either I

Possession of the following certificates:

A valid and current second-class Airman's Medical Certificate issued by a FAA authorized examiner.

and

1. A valid FAA Commercial Certificate with multi-engine land airplane and instrument ratings. or
2. A valid FAA ATP Certificate with multi-engine land airplane ratings and instrument ratings. or
3. A valid FAA Commercial Airman Certificate with a helicopter-rotorcraft class rating. or
4. A valid ATP Certificate with helicopter-rotorcraft class rating.

and

2,000 hours in-command of aircraft (fixed- or rotary-wing).

and

Either

1. One year of experience in the California state service performing the duties of an Aviation Officer III (Flight Operations) or an Aviation Officer III (Maintenance);
- or
2. Two years of experience in the California state service performing the duties of an Aviation Officer II (Flight Operations) or an Aviation Officer II (Maintenance);
- or
3. Five years of broad and extensive experience with direct oversight for the operations and/or maintenance of 15 or more aircraft, , at least two years of which has been in a managerial capacity in military, government, or commercial air services.

Or II

Possession of a valid A&P rating and a valid FAA IA.

and

Either

1. One year of experience in the California state service performing the duties of an Aviation Officer III (Flight Operations) or an Aviation Officer III (Maintenance);

or

2. Two years of experience in the California state service performing the duties of an Aviation Officer II (Flight Operations) or an Aviation Officer II (Maintenance);

or

3. Five years of broad and extensive experience with direct oversight for the operations and/or maintenance of 15 or more aircraft, at least two years of which has been in a managerial capacity in military, government, or commercial air services.

What has changed: The proposed minimum qualifications now include the requirement for an Airman's Medical Certification requirement. This requirement has long been a part of the minimum qualifications for CAL FIRE's Forestry Fire Pilot classification, but not for the *Air Operations Officer* series. The FAA Airman's Medical Certification is a standard federal requirement for pilots, and the Aviation Management Unit, in adhering to FAA guidelines, has always required all of its pilots to have this certification.

The proposed minimum qualifications have increased the pilot flight hour requirement from 1,500 hours to 2,000 hours. The current flight hour requirements for classifications within the *Air Operations Officer* series do not reflect a logical increase in the number of required hours commensurate with an increase in responsibility. For example, the current requirement for *Air Operations Officer I* is 2,000 hours, while the requirement for *Air Operations Officer II* is 1,000 hours, and the requirement for *Air Operations Officer II – Maintenance*, *Air Operations Officer III*, *Air Operations Officer III – Maintenance*, and *Senior Air Operations Officer* is 1,500 hours. CAL FIRE believes that the flight hour requirement should reflect an increasing level of experience; therefore, the number of flight hours required should increase consistently as an incumbent rises through the levels of the series.

To reflect an increased flight hour requirement that is commensurate with a higher level of experience, CAL FIRE proposes to increase the flight hour requirement for the *Senior Air Operations Officer* from 1,500 hours to 2,000 hours.

The proposed minimum qualifications now include a second pattern that provides a promotional pattern to the Senior level for maintenance officers within the series who do not have a pilot's license but do have an A&P and an IA. Based on findings in the job analysis, CAL FIRE believes that it is possible for a maintenance officer to manage the entire Aviation Program without needing to be a pilot.

The proposed minimum qualifications, under Item III in the first pattern, have amended the language from "air operations" to "the operations and/or maintenance

of 15 or more aircraft.” CAL FIRE feels that the new language better describes the term air operations, thereby providing a clearer picture of the type of experience required under this pattern.

Probationary Period

☐ The probationary period is six months

11. If a probationary period other than six months is proposed, what is the rationale?

No changes to the probationary period are being proposed.

Status Considerations

12. What is the impact on current incumbents?

There are no incumbents in the *Air Operations Officer I* or *Air Operations Officer II - Maintenance* classifications, and there is no impact to the current incumbents in the classifications of *Air Operations Officer I – Maintenance*, *Air Operations Officer II*, *Air Operations Officer III – Maintenance*, *Air Operations Officer III*, or *Senior Air Operations Officer*.

This specification revision will:

- (1) Abolish the classification of *Air Operations Officer I*, which has not been used in the last 20 years.

Originally, the *Air Operations Officer I* classification was established to function as a lead pilot providing technical instructions, guidance, and direction to the department’s contract pilots. The classification was intended to be used to help develop and administer pilot training and qualification programs; monitor and schedule pilot duty assignments; and act as relief and primary pilot of State-owned aircraft.

However, these duties have traditionally been assigned to a position within the department’s aircraft services contract, which is why CAL FIRE has not used the classification. The current aircraft services contract contains two lead pilot positions, one for air tactical aircraft and one for airtankers. Although the department has made efforts in the past to convert these positions to state positions, it has not been successful. Thus, CAL FIRE is recommending the abolishment of the *Air Operations Officer I* classification.

- (2) Remove from the minimum qualifications the requirement for an FAA and/or Airline Transport Pilot certification and flight hour requirements for the *Air Operations Officer II -Maintenance* and the *Air Operations Officer III – Maintenance* levels.

The focus of the maintenance classifications within the *Air Operations Officer* series is on maintenance of the aircraft, not on the tactical operations of aircraft.

Maintenance officers provide guidance and direction to department staff and contract mechanics in all phases of maintenance, modifications, and care of the department's aircraft. They also direct the overhaul and repair of aircraft, engines, and components and conduct maintenance inspections.

Although incumbents in the maintenance classes who do have their pilot's licenses may perform pilot duties from time to time, they are not required to pilot aircraft as a regular part of their duties. This was supported by the findings of the recent job analysis. As such, while possession of valid Airframe and Powerplant (A&P) rating is critical to the performance of their duties, the possession of a commercial pilot license, airline transport pilot certificate, or commercial airman certificate is not necessary.

By the same token, because the focus of the maintenance officer positions is on maintenance of the aircraft and not on flight operations, there is no need to require the performance of watershed and fire protection duties in the minimum qualifications for the *Air Operations Officer – Maintenance* classifications. Thus, CAL FIRE proposes to remove that requirement from the minimum qualifications for *Air Operations Officer II – Maintenance* and *Air Operations Officer III – Maintenance*.

- (3) Modify the amount of flight hours in the minimum qualifications for the *Air Operations Officer III* and *Senior Air Operations Officer* to increase the flight time from 1,500 hours to 2,000 hours.

The current flight hour requirements for classifications within the *Air Operations Officer* series do not reflect a logical increase in the number of required hours commensurate with an increase in responsibility. For example, the current requirement for *Air Operations Officer I* is 2,000 hours, while the requirement for *Air Operations Officer II* is 1,000 hours, and the requirement for *Air Operations Officer II – Maintenance*, *Air Operations Officer III*, *Air Operations Officer III – Maintenance*, and *Senior Air Operations Officer* is 1,500 hours. CAL FIRE believes that the flight hour requirement should reflect an increasing level of experience; therefore, the number of flight hours required should increase consistently as an incumbent rises through the levels of the series.

Since the department is proposing to abolish the *Air Operations Officer I* classification and remove the flight hour requirement from the *Air Operations Officer II – Maintenance* and *Air Operations Officer III – Maintenance* classifications (the requirement does not currently exist for the *Air Operations Officer I – Maintenance*), the flight hour requirement in the proposed series specification will begin at the *Air Operations Officer II* level. And to reflect an increased flight hour requirement that is commensurate with a higher level of experience, CAL FIRE proposes to increase the flight hour requirement for the *Senior Air Operations Officer* from 1,500 hours to 2,000 hours. Thus, the requirement for *Air Operations Officer II* will be 1,000 hours, the requirement for *Air Operations Officer III* will be 1,500 hours, and the requirement for *Senior Air Operations Officer* will be 2,000 hours.

- (4) Add the requirement for a valid FAA Inspection Authorization certification to the minimum qualifications for the *Air Operations Officer III – Maintenance* and *Senior Air Operations Officer*.

The FAA initiated the issuance of Inspection Authorization (IA) certificates more than 35 years ago. The holder of an IA certificate may inspect and approve for return to service any aircraft or related part or appliance after a major repair or major alteration. In addition, an IA may perform an annual inspection and may supervise or perform a progressive inspection.

While Airframe & Powerplant (A&P) mechanic is the basic certification, the IA certification represents the next level and is available to A&P mechanics who meet certain additional experience and knowledge requirements. Attainment of an IA permits an A&P mechanic to perform a greater variety of maintenance and alterations than any other single maintenance entity.

With the removal of the pilot license requirement from the *Air Operations Officer II – Maintenance* and *Air Operations Officer III – Maintenance* classifications, CAL FIRE believes that inclusion of the IA requirement demonstrates an increase in responsibilities that goes beyond time in grade. And since the *Air Operations Officer III – Maintenance* and *Senior Air Operations Officer* will perform a higher level of work than the lower levels in the series, CAL FIRE believes that it is appropriate to include this requirement.

- (5) Add the requirement for a valid and current second-class Airman's Medical Certificate issued by the FAA to the minimum qualifications for the *Air Operations Officer II* and the *Air Operations Officer III*.

This requirement has long been a part of the minimum qualifications for CAL FIRE's Forestry Fire Pilot classification, but not for the *Air Operations Officer* series. The FAA Airman's Medical Certification is a standard federal requirement for pilots, and the Aviation Management Unit, in adhering to FAA guidelines, has always required all of its pilots to have this certification.

Because *Air Operations Officer II*, *Air Operations Officer III*, and *Senior Air Operations Officer* are required to have pilots licenses and may perform pilot duties, it is appropriate to include this certification as part of the minimum qualifications for these classifications.

- (6) Update terminology throughout the specification to be more specific and consistent with industry terminology.
- (7) Update the knowledge, skills, and abilities for all classifications in the series as a result of the job analysis.
- (8) Rename the classifications in the series as follows:
- *Air Operations Officer I* to be abolished.
 - *Air Operations Officer II* to *Aviation Officer II (Flight Operations)*.
 - *Air Operations Officer III* to *Aviation Officer III (Flight Operations)*.

- *Air Operations Officer I – Maintenance to Aviation Officer I (Maintenance).*
- *Air Operations Officer II – Maintenance to Aviation Officer II (Maintenance).*
- *Air Operations Officer III – Maintenance to Aviation Officer III (Maintenance).*
- *Senior Air Operations Officer to Senior Aviation Officer.*

13. Will current employees move by examination, transfer, reallocation, split-off, etc.? Explain rationale.

Not applicable.

Consulted With

14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.

Scott Holmquist, Assistant Deputy Director, Fire Protection, CAL FIRE

Mike Padilla, Senior Air Operations Officer, CAL FIRE

Tony Favro, Staff Services Manager II, Personnel Services, CAL FIRE

Windy C. Bouldin, Staff Services Manager I, Classification and Pay Unit, CAL FIRE

Donna Mink, Staff Services Manager I, Examination Unit, CAL FIRE

Rosalie Turbeville, Associate Personnel Analyst, Examination Unit, CAL FIRE

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

~~AIR OPERATIONS~~ AVIATION OFFICER
Series Specification
(Established October 18, 1972)

SCOPE

This series specification describes ~~four levels of Air Operations Officer, including three levels of Air Operations Officer Maintenance,~~ six classifications used in the California Department of Forestry and Fire Protection (CAL FIRE) Aviation Management Program.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
QM78	6875	Air Operations Officer I
QM79	6877	Air Operations <u>Aviation Officer I - (Maintenance)</u>
BX85	1056	Air Operations <u>Aviation Officer II (Flight</u> <u>Operations)</u>
BX83	6882	Air Operations <u>Aviation Officer II - (Maintenance)</u>
BX80	1053	Air Operations <u>Aviation Officer III (Flight</u> <u>Operations)</u>
BX78	1050	Air Operations <u>Aviation Officer III -</u> <u>(Maintenance)</u>
BX75	1052	Senior Air Operations <u>Aviation Officer</u>

DEFINITION OF SERIES

The ~~Air Operations Officer~~ classifications in this series describes work ~~concerned~~ involved with the development and management of ~~the~~ Department of Forestry's CAL FIRE's Aviation Management Program. ~~Air Operations Officers are responsible for~~ Classifications in this series provide advice and counsel to the Department regarding aviation matters; preparing prepare contractual specifications; developing develop minimum standards for aircraft and pilot qualifications; providing provide guidance to and supervision to oversight of pilots and mechanics; solicitation of solicit bids and negotiation of negotiate air services contracts; inspection of inspect aircraft; and pilots evaluate pilot skills; design and development of develop specialized aircraft and attachments equipment; provide technical expertise related to the development of air base facilities facility specifications; serve as a liaison with Federal, and State, and local government aviation agencies, other forestry agencies, and aircraft operators; investigation of incidents or accidents involving aircraft either conduct, participate in, and/or provide technical support in aviation accident investigations; perform aviation safety reviews; implement statewide aviation operation and safety training programs on air attack methods; coordination of air attack operations on large and complex fires and use of aircraft on reseeding and spraying projects; acquisition, distribution, and maintenance of aircraft parts, components and system for State owned aircraft oversee the maintenance

of aircraft parts and components for aircraft operated and maintained by CAL FIRE; may serve as a crewmember on firefighting aircraft; may serve as an expert witness; and do other related work.

ENTRY LEVELS

Entry into this series is generally at the ~~Air Operations Officer I~~ and ~~Air Operations Officer I Maintenance~~ levels. Although each of the lower levels may provide preparation for promotion to the next higher level, use of rotational assignments and transfers from other Forestry classes is anticipated where employees have commercial airman qualifications and the required hours of flight time to qualify or an Airframe and Powerplant rating and the required experience in maintaining aircraft Aviation Officer II (Flight Operations) and Aviation Officer I (Maintenance).

FACTORS AFFECTING POSITION ALLOCATION

Level, variety, and complexity of work, nature of public contacts, supervision received and exercised, latitude for independent judgment and action, responsibility for and understanding of consequences of decisions, and in the higher levels, degree of program control and influence on methods of program performance serve as differentiating factors between individual ~~classes~~ classifications.

DEFINITION OF LEVELS

AIR OPERATIONS OFFICER I

~~Air Operations Officers I in an entry level capacity perform work in the Department of Forestry's Aviation Management Program. The incumbent will act as lead pilot providing technical instructions, guidance, and direction to a group of pilots; help develop and administer pilot training and qualification programs; monitor and schedule pilot duty assignments; act as relief and primary pilot of State-owned aircraft in performance of fire and chaparral management projects.~~

AIR OPERATIONS AVIATION OFFICER I - (MAINTENANCE)

~~Air Operations Officers I Maintenance in an entry level capacity perform work in the Department of Forestry's Aviation Management Program. The incumbent Incumbents at this level will act as the lead mechanic or shop foreperson directing a group of contract or State mechanics working on State-owned or leased rotary wing and/or fixed-wing contracted aircraft; perform maintenance and maintenance inspections on such aircraft; perform modifications and/or direct~~

performance of modifications to aircraft used in Department programs. Work described may be accomplished at both central maintenance facilities and remote operational locations.

AIR OPERATIONS AVIATION OFFICER II (FLIGHT OPERATIONS)

~~Air Operations Officers II perform work in the Department of Forestry's Aviation Management Program which involves~~ Incumbents at this level develop and implement standard flight operational procedures; train and evaluate pilots, and ensure that pilots perform their duties in accordance with Federal, State, and departmental rules, regulations, procedures, and directives. Incumbents are also involved in assigned study projects; and the preparation of prepare recommendations on the use of specialized aircraft, modifications of aircraft, maintenance of adequate air base facilities, and development of methods and procedures for air operations; Incumbents will be responsible for inspections of aircraft and air base facilities; proficiency qualification and safety checkouts for pilots; supervision of air attack perform qualification and flight standardization checks for pilots; develop and monitor aviation training programs; evaluation of evaluate effectiveness for specific elements of air operations; acquisition of aircraft parts, components, and systems for State-owned aircraft; and assurance of contract compliance by contractors as needed, act as relief and primary pilot of State-owned and contracted aircraft in the performance of fire suppression and vegetation management projects; ensure that the Department's Aviation Management Program is conducted in a safe manner and in compliance with applicable mandates; monitor and assure contractor compliance with provisions of various agreements with the Department; will participate in or provide technical support for aviation accident investigations, and do other related work.

AIR OPERATIONS AVIATION OFFICER II - (MAINTENANCE)

~~Air Operations Officers II - Maintenance perform work in the Department of Forestry's Aviation Management Program. The incumbents will~~ Incumbents at this level provide guidance and direction of industry and Department personnel to department staff and contractors in all phases of maintenance, modifications modification, and care of State-owned and contracted aircraft; Incumbents in this position will be responsible for a parts support program for direct the overhaul and repair of aircraft, engines, and components for State-owned or contracted aircraft; conduct inspections of State-owned or contracted aircraft; and do other related work. Work described may be accomplished at both central maintenance facilities and remote operational locations; and will participate in or provide technical support for aviation accident investigations; and will act as inspector for State and contract aircraft maintenance.

AIR OPERATIONS AVIATION OFFICER III (FLIGHT OPERATIONS)

~~The Air Operations Officer III is responsible for planning Incumbents at this level plan and directing direct departmental staff and contractors in the use of fixed and rotary wing aircraft for the Department of Forestry aircraft; perform contract development, implementation, and administration; providing provide advice and counsel in all aspects of the Aviation Management Program to the Senior Aviation Officer regarding aircraft operations; and for coordinating air operations on fires and other forestry projects or emergency programs in which the Department is involved recommend and assist in developing policies and guidelines in all phases of flight operations for State-owned and contracted aircraft; develop, implement, and oversee flight standards and training programs; ensure that all pilots who fly department aircraft comply with minimum training and proficiency requirements; as needed, act as relief and primary pilot of State-owned and contracted aircraft in the performance of fire suppression and vegetation management projects; provide technical assistance to aircraft accident investigative teams and may recommend policy changes as a result; assist in the acquisition of aircraft; monitor, evaluate, and make recommendations for improving aircraft equipment, safety equipment, and the air program relative to flight operations; plan and administer the budget for the flight operations program; and do other related work. This classification will provide guidance and function as a lead person to Aviation Officers II (Flight Operations) in carrying out their duties.~~

AIR OPERATIONS AVIATION OFFICER III - (MAINTENANCE)

~~The Air Operations Officer III — Maintenance is responsible for planning Incumbents at this level plan, organize, and directing direct department staff and contractors in the aviation maintenance and parts-support programs for the Department of Forestry. The position recommends aircraft modifications for the department; perform contract development, implementation, and administration; provide advice and counsel to the Senior Aviation Officer regarding aircraft maintenance; recommend and helps develop assist in the development of policies and guidelines in all phases of safety, maintenance and care of State-owned and contracted aircraft; plan and administer the budget for the maintenance program; and do other related work. This position assures that all State and contract aircraft are inspected and approved for use. This position classification may participate in aviation accident investigations and may recommend policy changes as a result; The position will supervise Air Operations Officers I and II — Maintenance and Aircraft Parts Managers provide guidance and function as lead person to Aviation Officers II (Maintenance) in carrying out their duties.~~

SENIOR AIR OPERATIONS AVIATION OFFICER

~~The Senior Air Operations Officer has total responsibility for directing the Department of Forestry's Incumbents at this level supervise, plan, organize, and direct CAL FIRE's Aviation Management Program and are responsible for the overall administration and oversight of the Aviation Management Program. This position approves minimum standards and contractual agreements to assure adherence to terms and conditions, as well as performance; provide primary leadership for the Aviation Management Program; ensure that missions are conducted in a safe manner and in compliance with Federal, State, and Department regulations, and in compliance with manufacturer directives. Incumbents approve minimum standards and contractual specifications; coordinates coordinate with Department CAL FIRES's Management Services on bid solicitation and the negotiation of contracts with aircraft operators; determines evaluate operational requirements in terms of available equipment and feasible techniques; conducts Department of Forestry of aerial firefighting aircraft; conduct boards of review on incidents and accidents involving aircraft and participates participate in joint-agency boards of review; represents the Department in meetings, conferences, and public appearances related to the air program and maintains liaison with other governmental agencies, contractors and other Forestry organizations Aviation Management Program; maintain liaison with other governmental agencies, contractors, and other organizations; plan and administer the statewide budget for the entire Aviation Management Program; administer the Aviation Safety Program statewide; advise, consult, and make recommendations to department executive management concerning aviation policies and procedures; provide guidance and supervision to Aviation Officers; and do other related work. Incumbents may pilot aircraft as necessary.~~

MINIMUM QUALIFICATIONS

~~AIR OPERATIONS AVIATION OFFICER I (MAINTENANCE)
 AIR OPERATIONS AVIATION OFFICER II (MAINTENANCE)
 AIR OPERATIONS AVIATION OFFICER III (MAINTENANCE)
 SENIOR AIR OPERATIONS OFFICER~~

ALL LEVELS:

~~Possession of the following certificates:~~ Possession of a valid Airframe and Powerplant (A&P) rating.

- ~~1. A valid Federal Aviation Agency (FAA) Commercial Airman Certificate with single and multi engine land airplane and instrument ratings. or~~
- ~~2. A valid Airline Transport Pilot (ATP) Certificate with single and multi engine land airplane ratings and instrument ratings. or~~

~~3. A valid FAA Commercial Airman Certificate with rotorcraft rating.
or~~

~~4. A valid ATP Certificate with rotorcraft helicopter rating.~~

~~AIR OPERATIONS OFFICER II — MAINTENANCE~~

~~AIR OPERATIONS OFFICER III — MAINTENANCE~~

~~Required certificates above and a valid Airframe and Powerplant (A&P) rating.~~

~~AIR OPERATIONS OFFICER I~~

~~Required FAA or ATP Certificate above and 2,000 hours in command of aircraft (fixed or rotary wing with a minimum of 60 hours during the past 12 months).~~

~~and~~

~~Either I~~

~~One year of experience in the California state service performing watershed and fire protection duties which have included full time assignment as a base manager or an air attack coordinator during the declared fire season.~~

~~Or II~~

~~Three hundred additional hours in command of either fixed or rotary wing aircraft performing low level missions in fire control; fish planting in mountain lake; drop, spray, or seeding operations over mountain or forested areas or comparable military experience.~~

~~AIR OPERATIONS AVIATION OFFICER I - (MAINTENANCE)~~

~~Possession of a valid Airframe and Powerplant (A&P) rating.~~

~~and~~

~~A minimum of two years¹ of experience performing the duties of an airframe and powerplant A&P mechanic (comparable military aircraft maintenance experience may be substituted).~~

~~AIR OPERATIONS OFFICER II~~

~~Required FAA or ATP Certificate above and 1,000 hours in command of aircraft in either fixed or rotary wing, with a minimum of 100 hours during the past 12 months.~~

~~and~~

~~Either I~~

~~One year of experience in the California state service performing the duties of an Air Operations Officer I and/or an Air Operations Officer I — Maintenance. (Applicants who have completed six months of service performing the duties of an Air Operations Officer I will be admitted to the examination, but they must satisfactorily complete one year of~~

~~this experience before they can be eligible for appointment.)~~

~~Or II~~

~~One year of experience in the California state service performing watershed and fire protection duties in a class comparable to that of State Forest Ranger I.~~

~~Or III~~

~~Two years of experience in the California state service in a supervisory capacity in forest fire suppression which has included full-time assignment as air base manager or air attack coordinator during the declared fire season.~~

~~Or IV~~

~~Five hundred additional hours in command of either fixed or rotary wing aircraft performing low level missions in fire control, fish planting in mountain lakes, drop, spray or seeding operations over mountain or forested areas or comparable military operations.~~

AIR OPERATIONS AVIATION OFFICER II - (MAINTENANCE)

~~Required FAA or ATP Certificate and Airframe and Powerplant (A&P) rating above and 1,500 hours in command of aircraft in either fixed or rotary wing, with a minimum of 100 hours during the past 12 months.~~

~~and~~

~~Either I~~

~~One year of experience in the California state service performing the duties of an Air Operations Aviation Officer I - (Maintenance). (Applicants who have completed six months of service performing the duties of an Air Operations Aviation Officer I - (Maintenance) will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)~~

~~Or II~~

~~A minimum of Three years¹ of experience performing the duties of an airframe and powerplant A&P mechanic (comparable military aircraft maintenance experience may be substituted) and any combination of the following:.~~

- ~~1. One year of experience in the California state service performing the duties of an Air Operations Officer I. or~~
- ~~2. One year of experience in the California state service performing water shed and fire protection duties in a class comparable to a State Forest Ranger I. or~~
- ~~3. Two years of increasingly responsible experience in the management and supervision of aircraft maintenance operations within the past five years.~~

~~AIR OPERATIONS OFFICER III~~

~~Required FAA or ATP Certificate above and 1,500 hours total pilot in command of fixed or rotary wing aircraft.~~

~~and~~

~~Either I~~

~~One year of experience in the California state service performing the duties of an Air Operations Officer II or Air Operations Officer II — Maintenance. (Applicants who have completed six months of service performing the duties of an Air Operations Officer II will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)~~

~~Or II~~

~~Two years of experience in the California state service performing watershed and fire protection duties comparable in level to that of State Forest Ranger I.~~

~~Or III~~

~~Five hundred additional hours in command of either fixed or rotary wing aircraft performing low level missions in fire control, fish planting in mountain lakes, drop, spray, or seeding operations over mountain or forested areas or comparable military operations; and one year of experience in developing and directing training programs for pilot proficiency in use of aircraft in specialized air operations; or managerial experience in military, government or commercial air services.~~

~~AIR OPERATIONS~~ AVIATION OFFICER III - (MAINTENANCE)

A valid FAA Inspection Authorization (IA).

~~Require FAA or ATP Certificate and Airframe and Powerplant (A&P) rating above; and 1,500 hours total pilot in command of fixed or rotary wing aircraft.~~

~~and~~

~~Either I~~

~~One year in the California state service performing the duties of an Air Operations~~ Aviation Officer II - (Maintenance). (Applicants who have completed six months of service performing the duties of an ~~Air Operations~~ Aviation Officer II - (Maintenance) will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)

~~Or II~~

~~A minimum of Four years of experience performing the duties of an airframe and powerplant A&P mechanic (comparable military aircraft maintenance experience may be substituted) and any combination of the following:~~

- ~~1. One year of experience in the California state service performing the duties of an Air Operations~~ Aviation Officer II (Flight Operations). or
- ~~2. Two years of experience in the California state service~~

~~performing watershed and fire protection duties in a class comparable to a State Forest Ranger I. or~~

32. Three years of increasingly responsible experience in the management and supervision of aircraft maintenance operations within the past five years.

AVIATION OFFICER II (FLIGHT OPERATIONS)
AVIATION OFFICER III (FLIGHT OPERATIONS)

Possession of the following certificates:

A valid and current second-class Airman's Medical Certificate issued by an FAA authorized examiner.

1. A valid FAA Commercial Pilot Certificate with multi-engine land airplane and instrument ratings. or
2. A valid FAA ATP Certificate with multi-engine land airplane ratings and instrument ratings. or
3. A valid FAA Commercial Airman Certificate with a helicopter-rotorcraft class rating. or
4. A valid ATP Certificate with helicopter-rotorcraft class rating.

AVIATION OFFICER II (FLIGHT OPERATIONS)

1,000 hours in command of aircraft (fixed- or rotary-wing).

and
Either I

One year of experience in the California state service performing the duties of an Aviation Officer I (Maintenance). (Applicants who have completed six months of service performing the duties of an Aviation Officer I (Maintenance) will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)

Or II

One year of experience in government service performing watershed and fire protection duties which have included a full-time assignment as a base manager or an air attack coordinator during the declared fire season.

Or III

Five hundred additional hours in command of either fixed- or rotary-wing aircraft performing low-level missions (e.g., wildland fire control, external loads, medi-vac operations, search and rescue, aerial surveys, etc.).

AVIATION OFFICER III (FLIGHT OPERATIONS)

1,500 hours in-command of aircraft (fixed- or rotary-wing).

and

Either I

One year of experience in the California state service performing the duties of an Aviation Officer II (Flight Operations) or Aviation Officer II (Maintenance). (Applicants who have completed six months of service performing the duties of an Aviation Officer II (Flight Operations) or Aviation Officer II (Maintenance) will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be eligible for appointment.)

Or II

Two years of experience in government service performing watershed and fire protection duties which have included a full-time assignment as a base manager or an air attack coordinator during the declared fire season.

Or III

Five hundred additional hours in command of either fixed- or rotary-wing aircraft performing low-level missions (e.g., wildland fire control, external loads, medi-vac operations, search and rescue, aerial surveys, etc.).

and

One year of experience in developing and directing training programs for pilot proficiency in use of aircraft in specialized air operations; or managerial experience in military, government, or commercial air services.

SENIOR AIR OPERATIONS AVIATION OFFICER

Possession of the following certificates:

A valid and current second-class Airman's Medical Certificate issued by an FAA authorized examiner.

and

1. A valid FAA Commercial Pilot Certificate with multi-engine land airplane and instrument ratings. or
2. A valid FAA ATP Certificate with multi-engine land airplane ratings and instrument ratings. or
3. A valid FAA Commercial Airman Certificate with a helicopter-rotorcraft class rating. or
4. A valid ATP Certificate with helicopter-rotorcraft class rating.

and

Required FAA or ATP Certificate above and 1,500 2,000 hours total-pilot-in-command of aircraft or (fixed or rotary-wing) aircraft.

andEither I

1. One year of experience in the California state service performing the duties of an ~~Air Operations~~ Aviation Officer III (Flight Operations) or an ~~Air Operations~~ Aviation Officer III - (Maintenance). or

Or II

2. Two years of experience in the California state service performing the duties of an ~~Air Operations~~ Aviation Officer II (Flight Operations) or an ~~Air Operations~~ Aviation Officer II - (Maintenance). or

~~Or III~~

3. ~~Five or more years of broad and extensive experience in air operations with direct oversight of the operations and/or maintenance of 15 or more aircraft, at least two years of which has been in a managerial capacity in military, government, or commercial air services.~~

~~Or II~~

~~Possession of a valid A&P rating and a valid FAA IA.~~

~~and~~~~Either I~~

1. ~~One year of experience in the California state service performing the duties of an Aviation Officer III (Flight Operations) or an Aviation Officer III (Maintenance). or~~
2. ~~Two years of experience in the California state service performing the duties of an Aviation Officer II (Flight Operations) or an Aviation Officer II (Maintenance). or~~
3. ~~Five years of broad and extensive experience with direct oversight for the operations and/or maintenance of 15 or more aircraft, at least two years of which has been in a managerial capacity in military, government, or commercial air services.~~

KNOWLEDGE, SKILLS, AND ABILITIES

AVIATION OFFICER I (MAINTENANCE)

AVIATION OFFICER II (MAINTENANCE)

AVIATION OFFICER III (MAINTENANCE)

All LEVELS:

~~Knowledge of: State and Federal forest and fire laws; regulations of the Department of Transportation, FAA and other regulations governing civil aircraft operation and maintenance~~ Practical application of aircraft maintenance practices and procedures; and FAA and other regulations governing aircraft operation and maintenance.

Skill in: Operating a computer.

~~Ability to: Plan, organize, and direct the work of others; in maintenance and/or operations of aircraft of the types used by the Department of Forestry in its fire control and chaparral management programs~~ research and apply technical data; and communicate effective in English to apply FAA regulations.

AIR OPERATIONS AVIATION OFFICER I (MAINTENANCE)

~~Knowledge of: All of the above, and use of aircraft in operations similar to those of the Department of Forestry.~~

~~Ability to: Supervise and schedule pilots in fire control and chaparral management operations~~ All of the above, and provide

technical guidance to maintenance personnel and other cooperative agencies to ensure aircraft airworthiness; and schedule maintenance functional check flights.

~~AIR OPERATIONS OFFICER I — MAINTENANCE~~

~~Knowledge of: All of the above, and practical application of aircraft maintenance in shop and field environments.~~

~~Ability to: Supervise mechanics and maintenance of aircraft in both shop and field operations.~~

~~AIR OPERATIONS OFFICER II~~

~~Knowledge of: All of the above, and types of aircraft and their performance capabilities, flight characteristics, capacity for specialized modifications and adaptability for Forestry use; principles and practices of employee training, including determining training needs and evaluating results of training given; contract administration.~~

~~Ability to: Make inspections and appraisals of aircraft and pilots; plan and direct training programs and evaluate the results of training activity design and direct the development of air attack base facilities required by the Department of Forestry; draft plans and specifications for new and special attachments and for aircraft modification to meet specific needs.~~

~~AIR OPERATIONS AVIATION OFFICER II - (MAINTENANCE)~~

~~Knowledge of: All of the above, and light and heavy aircraft maintenance, repair, and inspection practices.~~

~~Ability to: Supervise and manage major Oversee maintenance facilities and field maintenance programs.~~

~~AIR OPERATIONS OFFICER III~~

~~Knowledge of: All of the above, and special applications of rotary wing aircraft and fire manager's use of aircraft; principles of effective supervision; departmental and State of California Affirmative Action Program objectives; a manager's role in the Affirmative Action Program and the processes available to meet affirmative action objectives.~~

~~Ability to: Maintain cooperative working relationships with contractors and fellow employees; effectively contribute to the Department's affirmative action objectives.~~

AIR OPERATIONS AVIATION OFFICER III - (MAINTENANCE)

Knowledge of: All of the above, and ~~light and heavy aircraft maintenance; repair and inspection practices; contract administration~~ types of aircraft and their performance capabilities, characteristics, capacity for specialized modifications, and adaptability for use; principles and practices of employee training; and contracting and procurement to ensure compliance with governmental regulations.

Ability to: ~~Establish a parts support and supply system; supervise the performance of extensive maintenance and inspection systems; maintain cooperative working relationships with contractors, vendors and fellow employees~~ All of the above, and maintain cooperative working relationships; make inspections and appraisals of aircraft, aircraft accessories, and maintenance personnel; schedule aircraft maintenance inspections; and provide technical guidance to maintenance personnel and other cooperative agencies.

AVIATION OFFICER II (FLIGHT OPERATIONS)AVIATION OFFICER III (FLIGHT OPERATIONS)All Levels:

Knowledge of: Practical application of aircraft operations practices and procedures; and FAA and other regulations governing aircraft operation and maintenance.

Skill in: Operating aircraft to commercial standards; operating a computer.

Ability to: Research and apply technical data; plan, organize, and direct the work of others; schedule pilots for flight operations, and provide technical guidance to pilots and other cooperative agencies to ensure safe operation of aircraft; and communicate effectively in English to apply FAA regulations.

AVIATION OFFICER III (FLIGHT OPERATIONS)

Knowledge of: All of the above, and types of aircraft and their performance capabilities, characteristics, capacity for specialized modifications and adaptability for use; principles and practices of employee training; and contracting and procurement to ensure compliance with governmental regulations.

Ability to: All of the above, and make inspections and appraisals of aircraft, aircraft accessories, and pilots; and maintain cooperative working relationships.

SENIOR AIR OPERATIONS AVIATION OFFICER

Knowledge of: All of the above, and procedures and requirements involved in establishing and maintaining contractual relationships between the State and private or commercial parties FAA and other regulations governing aircraft operation and maintenance; practical application of aircraft maintenance practices and procedures; types of aircraft and their performance capabilities, characteristics, and capacity for specialized modification and adaptability for use; personnel, information technology, contracting, procurement, warehousing, and inventory management policies and procedures; fire protection techniques, tactics, strategies, and policy management principles; principles and practices of employee training; principles and techniques of personnel management and supervision; and principles and practices of supervision and management, including a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment.

Skill in: Performing basic analysis in reviewing and assessing technical and administrative data; operating aircraft to commercial standards; and operating a computer.

Ability to: Make special investigations and direct the preparation of thorough and comprehensive reports; analyze and estimate costs; aircraft repair and modification requirements; the effectiveness of air attack operations; communicate effectively in conferences and group meetings and prepare clear and concise correspondence Research and apply technical data; plan, organize, and direct the operations and maintenance of a statewide aviation program and the administrative staff; maintain cooperative working relationships with other governmental agencies, contractors, and fellow employees; provide technical guidance to maintenance and operational personnel and other cooperative agencies; oversee, manage, and prioritize aircraft maintenance inspection schedules and appraisals of aircraft and aircraft accessories; plan and direct the work of subordinate staff, while effectively promoting equal opportunity in employment and maintaining a work environment that is free of discrimination and harassment; and communicate effectively in English to apply FAA regulations.

ADDITIONAL DESIRABLE QUALIFICATIONS

ALL LEVELS:

Possession of a valid California driver license of the appropriate class issued by the Department of Motor Vehicles.

~~Persons entering this series should possess the ability and willingness to accept training to qualify them for one or more of the following ratings on their Commercial Airman Certificate listed in order of performance:~~

1. ~~Rotary Wing Rating.~~
2. ~~Aircraft and Powerplant Rating.~~
3. ~~Five hundred hours' flight time in command of rotary wing aircraft, at least 100 hours of which shall have involved missions operating from sites comparable in location and altitude to Department of Forestry helispots and heliports.~~
4. ~~Additional airman and/or mechanic ratings.~~

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Air Operations Officer I	11/4/82	4/20/93	
Air Operations Aviation Officer I - (Maintenance)	11/4/82	4/20/93	--
Air Operations Aviation Officer II (Flight Operations)	10/18/72	4/20/93	11/4/82
Air Operations Aviation Officer II - (Maintenance)	11/4/82	4/20/93	--
Air Operations Aviation Officer III (Flight Operations)	10/18/72	4/20/93	11/4/82
Air Operations Aviation Officer III - (Maintenance)	6/8/78	4/20/93	11/4/82
Senior Air Operations Aviation Officer	10/18/72	4/20/93	6/8/78

ccd/sks

DATE: April 14, 2009

TO: STATE PERSONNEL BOARD

FROM: Kathy Darling
Classification and Compensation Division
Department of Personnel Administration

REVIEWED BY: Barbara Hudson
Classification and Compensation Division
Department of Personnel Administration

SUBJECT: Forester Classification Series

SUMMARY OF ISSUES:

CalFIRE requests to revise the Forester classification series by updating the language and minimum qualifications based on a recently completed job analysis. Additionally, CalFIRE requests the removal of footnote 24 from the Forester III classification to allow CalFIRE to use the class once again.

Although the Forester III has a footnote 24 and has no current incumbents, the class was never abolished. CalFIRE has established a need to utilize the class once again and DPA is in agreement with this request.

CONSULTED WITH:

Tony Favro, Classification Manager, CalFIRE
Cheryl Robertson, Personnel Officer, CalFIRE
Windy Bouldin, Classification Manager, CalFIRE
Bill Snyder, Deputy Director, Resources Management Program, CalFIRE
Duane Shintaku, Assistant Deputy Director, Forest Practice, CalFIRE
Russ Henly, Assistant Deputy Director, Resource Protection and Improvement, CalFIRE
Dennis Hall, Forestry and Fire Protection Administrator, CalFIRE
Doug Wickizer, Forestry and Fire Protection Administrator, CalFIRE
Dana Manning, Labor Relations Officer, DPA

In accordance with the terms of the DPA/BU 8 CDF Firefighters contract, DPA has notified the union in writing of this proposal. The CDF Firefighters Local 2881 is in agreement with the proposed changes.

CLASSIFICATION CONSIDERATIONS:

In July 2007, CAL FIRE completed a job analysis of the *Forester* Series. The job analysis reviewed literature relevant to the *Forester* Series, including the existing series specification and CAL FIRE duties statements covering the different classifications involved in the study. CAL FIRE Human Resources staff also met with consultants and subject matter experts to develop inventories of tasks and knowledge, skills, and abilities (KSAs) that reflected current requirements for successful job performance in each analyzed classification; to identify

essential tasks and required KSAs; to link the tasks to the KSAs; and to identify other issues within the series.

The job analysis identified changes that need to be made to terminology within the series, identified changes to essential tasks and important KSAs, and recommended the reestablishment of the Forester III classification. Prior to 1996, CAL FIRE used the classification of Forester III to perform higher level Resource Management duties, such as managing a major statewide or region Resource Management program, overseeing an entire Unit Resource Management program, or managing the largest State forest.

However, in 1996, a classification and pay study of the *Forester Series* and the *State Forest Ranger* (now *Chief Officer*) Series revealed that incumbents in the State Forest Ranger III (or Deputy Chief) and Forester III classifications performed duties at a similar level and that the knowledge and abilities required to perform successfully in these higher level positions were similar to the knowledge and abilities required for the State Forest Ranger II (Assistant Chief). As such, CAL FIRE proposed to incorporate the duties and responsibilities of the two classifications into one classification (Assistant Chief (Supervisory)) and abolish the State Forest Ranger III and Forester III.

Ten years after recommending abolishment of the Forester III classification, CAL FIRE completed a job analysis of the *Chief Officer Series* in 2006. In addition to identifying essential tasks and important KSAs that needed to be added to the Chief Officer specification, this job analysis addressed the allocation of Assistant Chiefs to perform Resource Management functions and emphasized the importance of fire protection experience, training, and education for Assistant Chief positions.

As a result, and in conjunction with the 2007 *Forester Series* job analysis, CAL FIRE is now recommending reactivation of the Forester III classification (by removing the footnote 24) to perform the higher level Resource Management responsibilities currently being performed by Assistant Chiefs.

RECOMMENDATIONS:

1. That the proposed revised Forester classification series specification, as shown in this calendar, be adopted.
2. That footnote 24 be abolished from the Forester III classification.

CLASSIFICATION CONSIDERATIONS

Instructions: Complete after if Concept (Part A) is approved by DPA. Answer all applicable questions, providing enough information to support your proposal. Return this with a signed transmittal form to your DPA and SPB Analysts.

Background

1. **Provide some historical perspective about the organizational setting of the subject class(es) and the needs that this request addresses.**

The Department of Forestry and Fire Protection (CAL FIRE) is an emergency response and forest resource/watershed protection department. CAL FIRE serves and safeguards the people and protects the property and natural resources of California. CAL FIRE's various Resource Management programs work together to assess, manage, restore, and protect non-federal forest resources in urban, rural and wildland areas, and to enforce the State's forestry and fire prevention laws and regulations.

Classifications within the *Forester* Series perform professional work pertaining to forest, range, and watershed management and protection. Foresters provide encouragement, advice, and assistance to landowners, individuals, organizations, and agencies; regulate harvesting of commercial tree species from non-federal lands; and actively participate in wildland/forest management and local land use planning.

Due to the professional nature of the duties, to comply with the Professional Foresters Law (PRC §§ 750-783), each Forester within the series must hold a valid Registered Professional Forester's (RPF) license. Typical work within the series involves the planning, developing, and administering of CAL FIRE Resource Management programs and the review of work products of other licensed professionals. Duties include but are not limited to: forest inventory work (growth and yield volume estimation), forest health assessments, research and demonstration projects on state forests, forest pest protection, reforestation, forest products and biomass utilization; forest and wildland improvement and restoration; forest policy development and implementation; urban forestry projects; vegetation management; pre-fire engineering; all-risk emergency response; land-use planning; greenhouse gas assessments and carbon sequestration; and forest nursery operations. Foresters also map and inventory wildland soils and vegetation; oversee emergency soil stabilization assessments, revegetation, watershed rehabilitation, and range improvement after catastrophic wildfire incidents; conduct forest practice and fire prevention inspections; prosecute criminal and civil law violators; manage state forests for research, timber production, and recreation; and conduct studies in forest economics, engineering, genetics, silviculture, best management practices, social impacts, wildlife habitat, and water quality mitigation/protection. In addition, Foresters are responsible for watershed management; and environmental coordination and review pursuant to the California Environmental Quality Act.

In July 2007, CAL FIRE completed a job analysis of the *Forester* Series. The job analysis reviewed literature relevant to the *Forester* Series, including the existing series specification and CAL FIRE duties statements covering the different classifications

involved in the study. CAL FIRE Human Resources staff also met with consultants and subject matter experts to develop inventories of tasks and knowledge, skills, and abilities (KSAs) that reflected current requirements for successful job performance in each analyzed classification; to identify essential tasks and required KSAs; to link the tasks to the KSAs; and to identify other issues within the series.

The job analysis identified changes that need to be made to terminology within the series, identified changes to essential tasks and important KSAs, and recommended the reestablishment of the Forester III classification. Prior to 1996, CAL FIRE used the classification of Forester III to perform higher level Resource Management duties, such as managing a major statewide or region Resource Management program, overseeing an entire Unit Resource Management program, or managing the largest State forest.

However, in 1996, a classification and pay study of the *Forester* Series and the *State Forest Ranger* (now *Chief Officer*) Series revealed that incumbents in the State Forest Ranger III (or Deputy Chief) and Forester III classifications performed duties at a similar level and that the knowledge and abilities required to perform successfully in these higher level positions were similar to the knowledge and abilities required for the State Forest Ranger II (Assistant Chief). As such, CAL FIRE proposed to incorporate the duties and responsibilities of the two classifications into one classification (Assistant Chief (Supervisory)) and abolish the State Forest Ranger III and Forester III.

The intent of this change was to reduce the number of classifications in the *Chief* Series, to simplify the classification structure, to provide management with selection flexibility, and to provide cost savings within the examination process. To prevent any negative impact to existing incumbents in the Forester III classification, a footnote 24 was applied to prevent any future appointments, and positions were reclassified to Assistant Chief as they became vacant. Currently, there are no Forester III positions left in CAL FIRE, but the classification has not yet been abolished. CAL FIRE has approximately 15 Assistant Chief positions that perform higher level Resource Management duties.

Ten years after recommending abolishment of the Forester III classification, CAL FIRE completed a job analysis of the *Chief Officer* Series in 2006. In addition to identifying essential tasks and important KSAs that needed to be added to the Chief Officer specification, this job analysis addressed the allocation of Assistant Chiefs to perform Resource Management functions and emphasized the importance of fire protection experience, training, and education for Assistant Chief positions.

As a result, and in conjunction with the 2007 *Forester* Series job analysis, CAL FIRE is now recommending reactivation of the Forester III classification (by removing the footnote 24) to perform the higher level Resource Management responsibilities currently being performed by Assistant Chiefs.

The Definition of the Series has also been updated to reflect a more accurate description of how classifications are used, and changes have been made to the Definition of Levels, the Knowledge, Skills, and Abilities, and the Special Personal Characteristics for the different classifications within the series. In addition, CAL FIRE has included language in reference to felony disqualification for positions within the *Forester* Series that are designated as peace officers. Incumbents in the *Forester* Series continue to train and participate in CAL FIRE's emergency response to wildfires, floods, earthquakes and other disasters. Most Foresters are qualified peace officers or public officers and

as such, enforce both forestry and fire laws, and assist in arson investigations when fire prevention staff resources are otherwise committed. Foresters at all levels also serve on CAL FIRE incident command teams (ICTs).

Classification Considerations

2. What classification(s) does the subject class(es) report to?

A Forester I (Nonsupervisory) typically reports to a Forester II (Supervisory), an Assistant Chief (Supervisory), an Assistant Chief (Supervisory) with Differential, a Unit Chief, or a Forestry and Fire Protection Administrator (FFPA). Upon reactivation of the Forester III classification, Forester I (Nonsupervisory) positions may also report to a Forester III.

A Forester II (Supervisory) typically reports to an Assistant Chief (Supervisory) with Differential, a Unit Chief, or a FFPA. Upon reestablishment of the Forester III classification, Forester II (Supervisory) positions may also report to a Forester III.

Once the Forester III is reactivated (by removing footnote 24), it will typically report to a Unit Chief, a FFPA, an Assistant Deputy Director (CEA, Level 2), or an Assistant Region Chief (CEA, Level 2).

3. Will the subject class(es) supervise? If so, what class(es)?

A Forester I (Nonsupervisory) is rank-and-file and will not supervise, but may be tasked to assist the supervisor in providing directions to seasonal forestry aides, forestry technicians, and/or forestry assistants in the performance of their daily duties.

A Forester II (Supervisory) typically supervises Foresters I (Nonsupervisory), Forestry Assistants II, Forestry Assistants I, Forestry Technicians, Forestry Aids, and various support staff and clerical classifications.

A Forester III will typically supervise Foresters II (Supervisory), Foresters I (Nonsupervisory), Forestry Assistants II, Forestry Assistants I, Forestry Technicians, Forestry Aids, and various support staff and clerical classifications.

4. What are the specific duties of the subject class(es)?

Forester I (Nonsupervisory):

This is the entry and first working level in the professional level classification whereby each incumbent must hold a valid RPF license. Incumbents perform difficult, professional duties in connection with forest, range, watershed management, protection, and planning in support of CAL FIRE projects, and during the course of review of work of other licensed professionals. At the Unit level, incumbents enforce regulations, carry out policy, and serve in Forest Practice, Vegetation Management, Forestry Assistance, or other Resource Management assignments, as well as Fire Protection, Pre-Fire Engineering, Fire Prevention, local land use planning, and risk analysis. In some Units, single positions function as Unit Foresters, with multiple program responsibilities. Incumbents may also be responsible for a segment of operations at State Forests or

Seedling Nursery/Seed Bank. In region or headquarters assignments, incumbents may serve as staff specialists assisting in statewide management of Resource Management programs such as Forest Practice, Forest Management, or Urban Forestry. Incumbents may also serve as staff specialists or assistants responsible for activities of other CAL FIRE programs, such as pre-fire engineering, local land use planning, and risk analysis. Incumbents with appropriate training, qualifications, and experience may also serve as relief Battalion Chiefs or in other fire protection/fire prevention assignments.

Forester II (Supervisory):

Foresters II (Supervisory) perform the more difficult, sensitive, and complex professional forestry duties in connection with forest, range, watershed management, protection, and planning, and interpret, implement, and assist in the development of regulations and policy to ensure consistent application. In Units with large Resource Management staffs, Foresters II (Supervisory) supervise two or more staff, which may include Foresters I (Nonsupervisory), Forestry Assistants, or Forestry Technicians, and Fire Protection and Prevention staff. At the largest State Forest, Foresters II (Supervisory) serve as supervisors in charge of a segment of State Forest operations. In region offices and at Units with large Resource Management staffs, Foresters II (Supervisory) serve as THP Review Team Chairpersons. In region offices and headquarters, Foresters II (Supervisory) supervise staff in performing the activities of a major Resource Management, Resource Assessment, Fire Risk Assessment, or Planning program. This level may also be involved with the drafting and development of policy and regulations for CAL FIRE. Incumbents with appropriate training, qualifications, and experience may also serve as Duty Chief or in other fire protection assignments.

Forester III:

Foresters III perform the most difficult, sensitive, and complex forest, range, watershed management, protection, and planning duties such as responding to inquiries from legislators, advocate/civic groups, and citizens; administering a region or statewide Resource Management program; and supervising the review and processing of timber harvesting plans (THPs). Foresters III are delegated as the Director's representative to make final determination on THPs and issue the permit which authorizes commercial timber operations on private lands. Foresters III may have in-charge responsibility for the largest State Forest and Units with large Resource Management programs. Foresters III are responsible for planning, organizing, and directing the forest, range, and watershed management activities statewide or in an administrative area. Foresters III are directly involved with the drafting and development of complex policy, procedures, and regulations for CAL FIRE to ensure consistent statewide application of Resource Management principles. Foresters III may supervise a staff of Foresters. Incumbents with appropriate training, qualifications, and experience may also serve as Duty Chief or in other fire protection assignments.

5. What is the decision-making responsibility of the subject class(es)?

The decision making responsibility of all three Forester classifications varies considerably, depending on the classification and the working title. All three Forester classifications are responsible for decisions that are necessary to address at a minimum: 1) various types of **emergency** situations; 2) public and employee **safety**; 3) differing levels of **supervision** or employee direction; 4) interpretation, application and/or development of department **policies**, regulations, or legislation; 5) project **planning** and implementation; 6) **evaluation** of project and program success; and 7) **enforcement** of the State's laws and regulations. All three classifications work both independently and as part of various teams or working groups composed of other agency representatives and other stakeholders in the decision-making process.

Emergency – All three classifications receive training and are available at all times to respond to emergency assignments that vary from vehicle accidents to large-scale, multi-agency incidents such as wildland fires and floods. The decision making responsibility depends on the situation and each individual's training. Each Forester, regardless of the classification, may be called upon to make decisions regarding an immediate life threat if he or she is appropriately trained and arrive first at an accident or other emergency. The Forester's decision-making role in large-scale emergencies depends on the level of training received under the Incident Command System and the individual position occupied during the incident. This is not specific to the classification, but rather the training. The decision-making responsibility on an incident could be related to incident operations, planning, finance, etc. and is critical to the success of the Incident Command Team in the overall management of the incident. Foresters in each classification may also be called upon to serve as Duty Chief, Unit Chief, or Battalion Chief to provide full coverage of these critical positions; directing local operations in cooperation with other Chief Officers in the event of an emergency.

Safety - All three classifications receive safety training to address broad department-wide safety issues, as well as safety issues specific to their individual assignments. Each Forester, regardless of classification, is responsible for decision-making that affects his or her personal safety and that of the employees he or she directs, or in the case of the Foresters II and Foresters III, those employees they supervise as well. Foresters are also responsible for decision-making regarding public safety, regardless of the classification. The responsibility for decision-making regarding safety almost always includes decisions related to driver safety. In addition, many Forester positions in all three classifications must make decisions daily with regard to safe working conditions in adverse environmental conditions including steep, rugged terrain, and adverse weather conditions. Other decision-making regarding safe working conditions for work performed by Foresters in various classifications includes decisions related to the proper handling and disposal of hazardous materials such as pesticides, decisions related to fire-line safety, decisions related to safety around heavy equipment and machinery, decisions regarding the safe handling of firearms, and decisions regarding the safe use of various hand and power tools. Furthermore, Foresters in all classifications must be capable of making decisions which will result in immediate and long-term public safety with regard to environmental planning and disaster mitigation.

Supervision - Although a Forester I is not a supervisory position, positions in this classification are often required to make decisions regarding other employees they must direct in the performance of their daily duties. Foresters II and Foresters III are

supervisors and must make decisions regarding staffing and work schedules. They must also make decisions regarding employee training, travel, budget management, progressive discipline, hiring, employee terminations, as well as other supervisory decisions in a manner that ensures professional standards and policy requirements are being met.

Policy interpretation, application, and/or development – Foresters I, II, and III are responsible for decision-making regarding policy interpretation and application in implementing CAL FIRE projects, enforcing rules and regulations related to forestry and fire management, and while directing (or supervising) the work of others. In addition, Foresters II and III may be required to make decisions regarding the development of policies or regulations representing CAL FIRE as part of working groups tasked with policy or regulation review and development; determining and/or negotiating appropriate solution paths for policy issues.

Planning - In regard to planning, the decision-making in the Forester I classification is typically focused at the individual project level, which could be decisions regarding environmental protection during the development of a THP on a state forest, decisions regarding appropriate assistance of a landowner with a forest improvement project, decisions regarding the initial approval of an application for a fuels reduction grant, or development of an annual sowing plan for a state nursery, etc. In addition, Foresters II and III make decisions about program implementation and budget allocation between program areas (if managing more than one program area) minor contract approvals, and purchasing. Foresters III decision-making authority extends to statewide and regional programs including decisions related to review and approval of environmental documents, as well as decisions related to the administration of a variety of other programs including, but not limited to, nursery programs, pest management programs, urban forestry programs, forestry assistance programs, vegetation management programs, and law enforcement programs.

The decision-making in all three Foresters classifications also includes decisions related to efficient and cost effective project implementation, which could be decisions regarding the field preparation of a THP on a state forest, decisions regarding implementation of a forest improvement project, decisions regarding the implementation of fuels reduction projects, or implementation of an annual sowing plan for a state nursery, etc. Additionally, Foresters III decision-making authority extends to the implementation of a variety of statewide and regional projects and programs including, but not limited to, nurseries, pest management, urban forestry, forestry assistance, vegetation management, and law enforcement.

Evaluation - The decision-making in all three Foresters classifications includes decisions related to the evaluation of projects to determine their effectiveness in meeting project goals, in protecting the resources of the State, and in ensuring fiscal accountability for State projects or projects sponsored by CAL FIRE. This evaluation could require decisions regarding the proper implementation of mitigation measures under a THP, decisions regarding the evaluation of a forest improvement project to ensure the project objectives have been met, and decisions regarding the evaluation of fuels reduction projects to ensure the appropriate level of protection has been achieved and that resources at risk have been adequately protected both during project implementation and as a result of the project. Foresters II and III also must evaluate the performance of other employees they supervise.

Additionally, Foresters III decision-making authority extends to the evaluation of statewide and regional programs to determine whether CAL FIRE's goals are being met and that statewide programs are being delivered in a consistent manner. This includes decisions related to discontinuing ineffective programs, providing guidelines to improve existing programs, or developing new programs to address a need identified through the evaluation process. These decisions apply, but are not limited to, a variety of statewide programs such as the state nursery program, pest management program, urban forestry programs, forestry assistance programs, vegetation management programs, environmental review programs, and law enforcement programs.

Enforcement - Foresters I, II, and III have decision making authority regarding compliance with the State's forestry and fire prevention laws, regulations, and department policies. Positions in all three classifications may be required to make decisions as a Peace Officer or Public Officer; including decisions related to the apprehension of violators, use of force, investigation of crime scenes or areas where violations of the state laws or regulations have been committed.

6. What would be the consequence of error if incumbents in the subject class(es) did not perform their jobs? (Program problems, lost funding, public safety compromised, etc.)

All three classifications are responsible to respond to emergency assignments that vary from vehicle accidents to large-scale, multi-agency incidents such as wildland fires and floods. Failure to perform this function of their job could result in an immediate life threat or compromise the safety of themselves, other employees, and the public. Depending on the assignment, failure to perform could have a negative impact on large-scale incident operations, planning, or result in significant financial impacts to the State. Foresters in each classification may also be called upon to serve as Duty Chief, Unit Chief, or Battalion Chief to provide full coverage of these critical positions. Failure to perform this function would result in staffing problems impacting other program areas and loss of coordination of emergency resources in the event of an emergency.

All three classifications are responsible for personal, public, and employee safety in the performance of their everyday duties. Failure to perform this aspect of their jobs adequately could result in substantial risk to themselves and others, and may result in immediate and long-term public safety with regard to environmental planning and disaster mitigation.

Inadequate supervision by Foresters II and III could result in disciplinary problems, lost productivity, poor program delivery, and inappropriate spending leading to impacts to the budget.

Failure to perform in all classifications could have a significant impact on the public due to inadequate program delivery resulting in lack of services to the public and inadequate environmental protection. This could result in dissatisfied landowner assistance clients, partner agencies or organizations (e.g., Fire Safe Councils), loss of potential revenue generation on State Forests, and the loss of state and federal grant program funding. Failure to provide services or to enforce forestry and fire laws and regulations as required under State law could result in significant impacts to forest health such as the spread of forest insects and diseases, increases in fire hazard severity, lack of resources

needed for environmental recovery such as the inadequate availability of tree seedlings from State nurseries following a disaster, or immediate impacts to environmental resources. Appropriate regulations for fire protection and resource management may not be adopted or be efficiently processed to become chaptered. These failures can have economic, fiscal, and public safety repercussions, and may result in costly legal actions against CAL FIRE.

7. What are the analytical requirements expected of incumbents in the subject class(es)?

All three classifications require a license as a RPF. They must possess a high level of analytical skills not only to analyze issues but to understand and critique the analysis of others. High level mathematical skills are required in most positions related to environmental sciences (biological, botanical, silvicultural, etc.), engineering, budgeting, and accounting. Additionally; relational, situational, and policy issues or problems are all commonly analyzed to determine the most appropriate course of action. All three Foresters classifications are required to utilize their academic abilities, knowledge of research, and practical "on-the-job" experience to perform their jobs properly on a daily level. Some positions in each classification require more specialized analytical skills in the fields of forest biometrics, mensuration, hydrology, statistics, and economics.

8. What are the purpose, type, and level of contacts incumbents in the subject class(es) make?

The type, purpose, and level of contacts vary considerably in all three Foresters classifications depending on the specific position.

Purpose - The purpose of the contacts for all three classifications includes, but is not limited to: providing technical expertise and information on complex forestry issues, reviewing work products of private sector or contracted RPFs and other licensed professionals, facilitating efficient and timely emergency incident management; enforcing the laws and regulations pertaining to resource management, fire protection, and fire prevention; educating the public on forestry issues; and working with landowners, vendors, and contractors to plan, implement, and evaluate various Resource Management projects.

Foresters II and III must also contact other managers within an administrative Unit to ensure efficient program management at the Unit level. As supervisors, contacts for these classifications include subordinates at various levels for the purpose of providing direction of daily work.

In addition to the above, Foresters III contact various groups and agencies for the purpose of providing input on statewide policy development and to facilitate programmatic issue resolution.

Type - The type of contacts range from home owners and other individual members of the public to high level managers in business, government, and special interest groups. There are also frequent contacts with legislators, lobbyists, and local government officials at the Foresters II and III level. All three classifications routinely work with various public organizations such as community groups (Fire Safe Councils, urban forestry nonprofits, etc.), schools (including primary grades through universities),

volunteer organizations, international organizations such as the Sierra Club, and professional organizations such as the Society of American Foresters and the California Licensed Foresters Association. In emergency situations, contacts for all classifications include representatives at all levels from various state, local, and federal emergency management agencies such as the Office of Emergency Services, U.S. Forest Service, and county fire departments. Other contacts include, but are not limited to, subordinate employees, other agency specialists, researchers, technicians, forestry laborers, attorneys, and emergency medical professionals.

Level – The level of contacts varies depending on the purpose of the contact and the position of the Forester. The level of contacts for all Foresters classifications varies from primary grade students to elected officials. Foresters in each classification must dialogue with high level company officials when enforcing state laws and regulations; interaction with company managers is not passed on to CAL FIRE management, but instead dealt with at the local Unit level, beginning with Foresters I or II. Foresters II and III must be able to represent CAL FIRE's perspective to upper level managers of private industrial timberland owners so they have a clear understanding of their legal obligations.

Generally, Foresters II will be likely to have more contact with higher level individuals in various organizations than Foresters I, and Foresters III are likely to have more contact with higher level individuals than Foresters II.

Need for New Class (if necessary)

9. **For new classes only: what existing classes were considered and why were they not appropriate?**

Not applicable.

Minimum Qualifications

10. **What are the proposed or current minimum qualifications of the subject class(es), and why are they appropriate? (Include inside and outside experience patterns.)**

(1) This proposal revises the minimum qualifications for Forester I (Nonsupervisory) as follows:

Either I

Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection or possession of an authorized letter from the California State Board of Forestry and Fire Protection, Professional Foresters Registration, to compete in the Registered Professional Forester exam. (Applicants with an authorization letter from the California State Board of Forestry and Fire Protection, Professional Foresters Registration, will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment.)

Or II

Experience: Two years of experience performing the duties of a Forestry Assistant II in the California state service; and

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection (applicants who do not possess the required license will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment).

Or III

Experience: One year of experience performing the duties of a Forestry Assistant II in the California state service and six months of forestry work requiring professional skill. (Graduation from college with specialization in forestry, range management, or a closely related natural resource field may be substituted for the six months of forestry work.) and

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection (applicants who do not possess the required license will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment).

Or IV

Experience: Either

1. Three years of experience in the California state service performing forestry work requiring professional skill, fire prevention, or supervising fire suppression work in a class comparable in level to a Forestry Assistant II. or

2. Two years of experience in forestry work requiring professional skill involving one of the following: management of a forest area; management of forest resources; appraising forest resources; ~~harvesting forest products~~; forest engineering; regulating forest practices; controlling forest pests; reforestation or tree nursery production; urban forestry; or range and watershed management duties. (Graduate work in forestry may be substituted for up to one year of the required experience on a year-for-year basis.) and

Education: Equivalent to graduation from college with specialization in forestry, range management, or a closely related natural resource field. (Additional qualifying experience may be substituted for up to two years of the required education on a year-for-year basis.) and

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection (applicants who do not possess the required license will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment).

(2) This proposal revises the minimum qualifications for Forester II (Supervisory) as follows:

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection; and

Either I

Experience: Two years of experience in the California state service performing forest, range, or watershed management duties in a class comparable in level to a Forester I (Nonsupervisory).

Or II

Experience: Three years of experience in forestry work requiring professional skill involving management of a forest area, appraising management of forest resources, harvesting forest products, appraisal of forest resources, forest engineering, regulating forest practices, controlling forest pests, reforestation or tree nursery production, urban forestry, or range and watershed management duties. (Graduate work in forestry may be substituted for up to one year of the required experience on a year-for-year basis) and

Education: Equivalent to graduation from college with specialization in forestry, range management, or a closely related natural resource field. (Additional qualifying experience may be substituted for up to two years of the required education on a year-for-year basis.)

- (3) Since CAL FIRE stopped using the classifications of Forester I (Supervisory) and Forester II (Nonsupervisory), both classifications were abolished. Thus, CAL FIRE proposes to remove all references to Forester I (Supervisory) and Forester II (Nonsupervisory), including the minimum qualifications, from the specification.

- (4) This proposal reestablishes the minimum qualifications for Forester III as follows:

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection. and

Experience: One year of experience in the California state service performing forest, range, or watershed management duties in a class comparable in level to a Forester II (Supervisory).

- (5) The proposal updates the Knowledge and Abilities for Forester I (Nonsupervisory), Forester II (Supervisory), and Forester III to reflect competencies now required for those classifications.
- (6) The proposal adds Felony Disqualification language for positions designated as peace officers. This change reflects current standard terminology regarding peace officer positions.

Probationary Period

☐ The probationary period is six months

11. If a probationary period other than six months is proposed, what is the rationale?

No changes to the probationary period are being proposed.

Status Considerations

12. What is the impact on current incumbents?

There are no incumbents in the Forester III classifications, and there is no impact to the current incumbents in the classifications of Forester I (Nonsupervisory) or Forester II (Supervisory). This specification revision will (1) update the definition of levels, knowledge, skills, and abilities, and terminology based on a recently completed job analysis of the series; and (2) reactivate the Forester III classification. It is anticipated that once the Forester III classification is reactivated, an exam is given and a list generated, CAL FIRE will refill Resource Management Assistant Chief positions as Foresters III as they become vacant.

13. Will current employees move by examination, transfer, reallocation, split-off, etc.? Explain rationale.

Not applicable.

Consulted With

14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.

Bill Snyder, Deputy Director, Resource Management Program, CAL FIRE

Duane Shintaku, Assistant Deputy Director, Forest Practice, CAL FIRE

Russ Henly, Assistant Deputy Director, Resource Protection and Improvement, CAL FIRE

Dennis Hall, Forestry and Fire Protection Administrator, CAL FIRE

Doug Wickizer, Forestry and Fire Protection Administrator, CAL FIRE

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

FORESTER
Series Specification
(Established November 1, 1972)

SCOPE

This series specification describes three Forester classes used in the Department of Forestry and Fire Protection.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
BY80	1054	Forester I (Nonsupervisory)
BY70	1042	Forester II (Supervisory)
BY60	1041	Forester III

DEFINITION OF SERIES

The Forester series describes professional work concerned with forest, range, and watershed management and protection, which is accomplished by: providing encouragement, advice, and assistance to landowners, individuals, organizations, and agencies; regulating use; demonstrating good wildland management; and seeking through research, assessment, risk analysis, and studies the necessary knowledge to utilize and protect forest, range, and watershed lands while protecting all forest their benefits. Foresters are also required to assist in the suppression of fires and the rehabilitation of lands and their natural resources caused by such incidents participate in fire protection, fire prevention, and all-risk response.

Work assignments involve the planning, development, and administration of resource management programs; surveys, research, and demonstration projects in the fields of forest pest protection, reforestation, climate change, forest utilization, and forest nursery operations; mapping and inventory of wildland soils and vegetation; emergency revegetation and rehabilitation; brush range improvement; forest practice inspection and fire prevention inspections and regulation; criminal and civil law enforcement; State forest management; studies in forest economics, engineering, genetics, and appraisal; watershed management; environmental protection; forest products utilization; forest and wildland improvement and restoration; environmental review; forest policy; urban forestry; vegetation management; pre-fire engineering; all-risk response; and land-use planning. Individuals entering the series must pass the successfully complete basic fire control training ~~Course~~ prior to the end of probation.

JOB CHARACTERISTICS

Certain positions in these classifications require peace officer or public officer status as a condition of appointment and continued employment.

ENTRY LEVELS

Entry into this series is typically at the class of Forester I (Nonsupervisory). The class of Forestry Assistant II also provides preparation for promotional entry. ~~Promotion~~ Entry from fire suppression classes is also ~~provided~~ permitted.

FACTORS AFFECTING POSITION ALLOCATION

Level, variety, ~~and~~ complexity, and technical difficulty of work; nature of public contact; supervision received and exercised; latitude for independent judgment and action, ~~and~~; responsibility for ~~decision~~ decisions; geographic responsibility area; degree of administrative responsibility; program control; influence on policy decision; and influence on methods and program direction.

DEFINITION OF LEVELS

FORESTER I (NONSUPERVISORY)

This is the entry and first working level. Incumbents perform difficult, professional ~~forestry~~ duties in connection with forest, range, ~~and~~ watershed management, ~~activities~~ protection, and planning. At the ~~ranger~~ unit level, incumbents enforce regulations, carry out policy, and serve in Forest Practice, Vegetation Management, Forestry Assistance, or other Resource Management assignments, as well as Fire Protection, Pre-Fire Engineering, fire prevention, local land use planning, and risk analysis. In some ~~ranger~~ units, single positions function as Unit Foresters, ~~responsible for the full range of Resource Management functions~~ with multiple program responsibilities. Incumbents may also be responsible for a segment of operations at a ~~large~~ State Forest or Nursery. In region or headquarters assignments, incumbents may serve as staff specialists or assistants responsible for activities of a ~~major~~ resource management program such as Forest Practice, Forest Management, or Urban Forestry. Incumbents may also serve as staff specialists or assistants responsible for activities of other department programs, such as pre-fire engineering, local land use planning, and risk analysis. Incumbents with appropriate training, Incident Command System (ICS) qualifications, experience, and certifications may also serve as relief Battalion Chiefs in emergency assignments.

FORESTER II (SUPERVISORY)

Foresters II (Supervisory) perform the more difficult, sensitive, and complex professional forestry duties in connection with forest, range, ~~or~~ watershed management ~~activities~~, protection, and planning, and interpret, develop, and implement regulations and policy to ensure ~~consistency in consistent~~ application ~~by Foresters I~~. In ~~ranger~~ units with large Resource Management staffs, Foresters II (Supervisory) supervise two or more staff, which ~~includes~~ may include Foresters I (Nonsupervisory), ~~and which may include~~ Forestry Assistants or Forestry Technicians, and fire protection and prevention staff. At the largest State Forest, Foresters II (Supervisory) serve as ~~second-level~~ supervisors in charge of a segment of State Forest operations. In region ~~or area~~ offices and at ~~ranger~~ units with large resource management staffs, Foresters II (Supervisory) serve as THP Review Team Chairpersons. In region ~~or area~~ offices and headquarters, Foresters II (Supervisory) supervise staff in performing the activities of a major resource management, resource assessment, fire risk assessment, or planning program. This level may also be involved with the drafting and development of policy and regulations for the Department. Incumbents with appropriate training, ICS qualifications, experience, and certifications may also serve as ranger unit duty officers in emergency assignments.

FORESTER III

Foresters III perform the most difficult, sensitive, and complex forest, range, watershed management, protection, and planning duties such as responding to inquiries from legislators, advocate/civic groups, and citizens; administering a region or statewide resource management program; and supervising the review and processing of timber harvesting plans. Foresters III may have in-charge responsibility for the largest State Forest and in units with large resource management programs. Foresters III are responsible for planning, organizing, and directing the forest, range, and watershed management activities in an administrative area. Foresters III may supervise a staff of Foresters.

MINIMUM QUALIFICATIONS

ALL LEVELS:

Breadth of experience through a variety of job assignments is a factor in planned manager development in the Department of Forestry and Fire Protection. Although Foresters develop highly specialized assignments at higher levels, rotation in assignment is anticipated at all levels within the series.

FORESTER I (NONSUPERVISORY)

Either I

Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection or possession of an authorized letter from the California State Board of Forestry and Fire Protection, Professional Foresters Registration, to compete in the Registered Professional Forester exam. (Applicants with an authorization letter from the California State Board of Forestry and Fire Protection, Professional Foresters Registration, will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment.)

Or II

Experience: Two years of experience performing the duties of a Forestry Assistant II in the California state service. and

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection (applicants who do not possess the required license will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment).

Or III

Experience: One year of experience performing the duties of a Forestry Assistant II in the California state service and six months of forestry work requiring professional skill. (Graduation from college with specialization in forestry, range management, or a closely related natural resource field may be substituted for the six months of forestry work.) and

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection (applicants who do not possess the required license will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment).

Or IV

Experience: Either

1. Three years of experience in the California state service performing forestry work requiring professional skill, fire prevention, or supervising fire suppression work in a class comparable in level to a Forestry Assistant II. or
2. Two years of experience in forestry work requiring professional skill involving one of the following: management of a forest area; management of forest resources; appraising forest resources; ~~harvesting forest products~~; forest engineering; regulating forest practices; controlling forest pests; reforestation or tree nursery production; urban forestry; or range and watershed management duties. (Graduate work in forestry may be substituted for up to one year of the required experience on a year-for-year basis.) and

Education: Equivalent to graduation from college with specialization in forestry, range management, or a closely related natural resource field. (Additional qualifying experience may be substituted for up to two years of the required education on a year-for-year basis.) and

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection (applicants who do not possess the required license will be admitted to the examination, but they must secure the license before they will be considered eligible for appointment).

FORESTER II (SUPERVISORY)

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection. and

Either I

Experience: Two years of experience in the California state service performing forest, range, or watershed management duties in a class comparable in level to a Forester I (Nonsupervisory).

Or II

Experience: Three years of experience in forestry work requiring professional skill involving management of a forest area, ~~appraising management of forest resources, harvesting forest products~~ appraisal of forest resources, forest engineering, regulating forest practices, controlling forest pests, reforestation or tree nursery production, urban forestry, or range and watershed management duties. (Graduate work in forestry may be substituted for up to one year of the required experience on a year-for-year basis.) and

Education: Equivalent to graduation from college with specialization in forestry, range management, or a closely related natural resource field. (Additional qualifying experience may be substituted for up to two years of the required education on a year-for-year basis.)

FORESTER III

License Requirement: Possession of a valid license as a Registered Professional Forester issued by the California State Board of Forestry and Fire Protection. and

Experience: One year of experience in the California state service performing forest, range, or watershed management duties in a class comparable in level to a Forester II (Supervisory).

KNOWLEDGE AND ABILITIES

FORESTER I (NONSUPERVISORY)

Knowledge of: Natural sciences (biology, botany, geology, hydrology, ecology, soil science, and climatology, including climate change principles); forest, and range, wildlife, and fisheries management principles and practices; California vegetative types, soil, climatic conditions, and plant ecology and the tools, methods, and practices related to vegetation management, including fuels management; tools, methods, and practices related to forest and range inventory, mensuration, timber appraisal, land surveying, mapping, and forest harvesting methods and practices; tree nursery production, distribution, reforestation, and forest pest control; identification and protection of archaeological sites and other cultural resources; tools, methods, practices, programs, organization, and standards related to fire prevention, wildland fire protection, fire behavior, and all-risk incident management, strategy, and tactics; watershed management and erosion control methods; California State, local, and Federal environmental, forest, and fire laws, and regulations applicable in California; criminal, civil, and administrative law and law enforcement and investigation techniques; tools, methods, and practices related to forest engineering, land surveying, mapping, photogrammetry, and use and applications of remote sensing imagery; evaluation techniques and migration methods for land management and incident related activities and effects; the Department's mission, vision, and values; the Board of Forestry and Fire Protection's and the Department's policies; other agencies' roles, objectives, and jurisdictional authorities; and forest economics, forest product valuation, and forest product utilization.

Ability to: Interpret and apply technical standards and make decisions based on available data; make inspections and investigations and prepare technical reports of findings; research the literature and other sources for information; use clear and concise expression in oral presentations, written reports, and correspondence; identify and protect archaeological sites sensitive resources; and work effectively with timber operators and harmoniously with others (e.g., co-workers, other fire protection agencies, the public, landowners, other governmental agencies, and the business community).

FORESTER II (SUPERVISORY)

Knowledge of: All of the above, and program administration; forest policy development and application; principles of effective supervision; and a supervisor's responsibility for promoting equal

opportunity in hiring and employee development and promotion, and for maintaining a safe work environment that is free of discrimination and harassment.

Ability to: All of the above, and accept increasing responsibility and accomplish objectives without close guidance and review; effectively plan and organize work programs; effectively promote equal opportunity in employment and maintain a safe work environment that is free of discrimination and harassment; and demonstrate leadership.

FORESTER III

Knowledge of: All of the above, ~~and~~ but at a broader level of scope that includes multiple programs, agencies, and levels of government; policies, objectives, and standards established by the Board of Forestry and Fire Protection; conservation programs and forest and wildland management as practiced in California; research and statistical methodology; special project management; principles of personnel management; training; and budgeting.

Ability to: All of the above, and manage multiple responsibilities simultaneously and meet deadlines; demonstrate leadership; analyze problems and design systems for project organization and problem solving; do technical and policy writing and editing for publication; effectively communicate with ~~local~~ various levels of government, the media, and the private sector; and effectively plan and organize work programs.

ADDITIONAL DESIRABLE QUALIFICATIONS

ALL LEVELS:

Possession of a valid driver license of the appropriate class issued by the Department of Motor Vehicles.

SPECIAL PERSONAL CHARACTERISTICS

ALL LEVELS:

Willingness to work long and irregular hours under stressful conditions, in remote parts of the State, and during the fire season, to remain available for duty assignments 24 hours a day as required; ability to meet physical and medical standards established by the Department of Forestry and Fire Protection; ~~and~~ color vision and visual acuity sufficient to perform the duties of the position;

ability to perform and exercise good judgment under emergency or other stressful situations; and ability to operate specialized equipment (e.g., personal computers, audio visual, fire apparatus, vehicles, camera).

FELONY DISQUALIFICATION

Existing law provides that persons convicted of a felony are disqualified from employment as peace officers. Such persons are not eligible to compete for, or be appointed to, positions in this class. This felony disqualification applies only to those positions designated as peace officers within this class.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Forester I (Nonsupervisory)	9/4/34	7/8/08	11/5/96
Forester II (Supervisory)	10/20/31	11/5/96	11/5/96
Forester III	5/2/52	11/5/96	5/21/64

ccd/sks



MEMORANDUM

DATE: March 26, 2009

TO: State Personnel Board

FROM: State Personnel Board
Merit Operations Division
Examination Services Program

SUBJECT: PROPOSED ABOLISHMENT OF THE ELIGIBLE LISTS
FOR THE FRANCHISE TAX BOARD'S COMPLIANCE
REPRESENTATIVE, THE EMPLOYMENT DEVELOPMENT
DEPARTMENT'S TAX COMPLIANCE REPRESENTATIVE,
AND THE BOARD OF EQUALIZATION'S BUSINESS TAX
REPRESENTATIVE CLASSIFICATIONS

The Franchise Tax Board (FTB), Employment Development Department (EDD), and the Board of Equalization (BOE) are requesting that the eligible lists for the following classifications be abolished: a) Business Tax Representative (BTR); b) Tax Compliance Representative (TCR); and c) Compliance Representative (CR). The examinations for the above named classifications are currently administered online on an open continuous file basis.

CONSULTED WITH

The impacted employee organization, Service Employees International Union (SEIU 1000) was notified on January 16, 2009, of the proposed action. SEIU 1000 was provided with a 30 day window in which to provide input; however, to date, the union has expressed no objections or concerns.

BACKGROUND

Currently, candidates who seek employment with the State of California as a tax collector must participate in three separate examinations if they wish to gain list eligibility for the BTR, TCR, and/or CR classifications. In February 2007, the Tri-Agency Online Collector Exam Team (Team) was established to address the examination process for these three classifications. The Team's goal was to create one online examination for candidates who are seeking employment with the State of California as a tax collector. The intent was to streamline the testing

process so that candidates would be able to take one examination, and if successful, gain list eligibility for the all three classifications.

On December 18, 2008, the Team met with staff from the State Personnel Board (SPB) and the HR Modernization project to finalize the new Tri-Agency Online Collector Examination. It was determined that due to the differences in the exam plans, exam methodology, and scoring structures, the new eligible lists would not be able to be merged with the current eligible lists.

The BTR, TCR, and CR classifications are revenue generating for the State of California and the three departments fill vacancies on a continual basis. It is important to maintain continuity to ensure that an eligible list is available on a continuous basis so that hires can be made when needed.

The Tri-Agency Online Collector Examination has been approved for the Three Rank Eligible List Pilot Study as a consortium examination.

PROPOSED ACTION

The current eligible lists were established less than one year ago. To move forward with the new Tri-Agency exam process, the FTB, EDD, and BOE request approval to take the following actions:

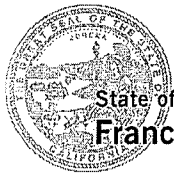
1. Freeze the current BTR, TCR, and CR online examinations so that new candidates will not be added to the eligible list. FTB, EDD, and BOE request approval to continue hiring from the existing eligible lists until the new Tri-Agency Online Collector Examination is released.
2. Notify all eligibles currently on the BTR, TCR, and CR eligible lists that their eligibility will be abolished. Eligibles will be advised that they will need to participate in the new Tri-Agency examination process to re-establish list eligibility. In addition, the eligibles will be notified that by participating in the new process, they have the ability to gain eligibility for all three classifications.
3. Release the new Tri-Agency Online Collector Exam and establish new eligible lists.
4. Abolish the current eligible lists for BTR, TRC, and CR once the Tri-Agency examination is released and all active certifications have been cleared.

RECOMMENDATION

The FTB, EDD, and BOE have been working together for approximately two years to consolidate the tax collector classifications and streamline the examination process to effect cost savings and enhance efficiency. Under the new process, candidates will no longer need to participate in three separate examinations; rather, they will take one online examination for all three classifications. Duplication of staff work will be avoided by eliminating the need for each individual department to plan and administer separate examinations. Candidates will benefit as they will have the option to be evaluated and considered for employment by three different departments as the result of one examination process.

The SPB Examination Services Program recommends that the Board abolish the BTR, TCR, and CR eligible lists when the new Tri-Agency Online Collector Examination is released, and all certification lists have been cleared. This action will promote consortium examinations, and better align examination and hiring practices with the vision of HR Modernization. The Tri-Agency Online Collector Examination process will encourage qualified applicants to seek employment as a tax collector with the State of California and will allow departments more flexibility to meet critical hiring needs.

Chair **John Chiang**
member **Judy Chu, Ph.D.**
member **Michael C. Genest**



State of California
Franchise Tax Board

01.14.2009

To: Suzanne Ambrose
Executive Officer
State Personnel Board

From: Tri-Agency Online Collector Exam Team

Subject: Tri-Agency Online Collector Exam Eligibility List Update Request

Memorandum

Dear Suzanne,

The intent of this memorandum is to request permission to abolish the current Business Taxes Representative (BTR), Tax Compliance Representative (TCR), and Compliance Representative (CR) eligible lists, which are less than 12 months old, once the new Tri-Agency Online Collector Exam is available.

The Tri-Agency Online Collector Exam Team was first established in February 2007. The purpose of this team was to create one online exam that would allow candidates who want to work for the State as tax collectors to experience a streamlined testing process where they could take one exam and, if successful, potentially gain list eligibility on three department's tax collector lists (Board of Equalization (BOE), Employment Development Department (EDD) and Franchise Tax Board (FTB).

Members of the Tri-Agency Online Collector Exam Team (Terri Deane, BOE; Terri Saenz, EDD; Terry Downs, FTB) met with representatives from the State Personnel Board (SPB) and HR Modernization on December 18, 2008 to discuss the next steps in finalizing the new Tri-Agency Online Collector Exam. At that time, it was determined that because our current exams are not identical and have different pass points established than the new Tri-Agency Exam, we will not be able to merge the existing eligibility lists with the new eligibility lists. In order to rectify this problem and move forward with finalizing this project, we are requesting to do the following:

1. Freeze the current BTR, TCR, and CR on-line exams as soon as possible, so that new candidates will not be added to the lists each day. However, we will continue to hire from these lists, until the new tri-agency exam is released.
2. Notify all eligible's currently on the BTR, TCR, and CR lists that their eligibility has been abolished and that they will need to re-test and take the new Tri-Agency Online Collector Exam (with the possibility of gaining eligibility with all three departments).
3. Launch the new Tri-Agency Online Collector Exam and start establishing new eligibility lists.
4. Abolish the old eligibility lists for each agency once all active certifications have been cleared.

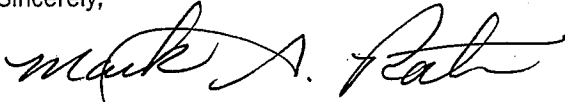
Please note, we are also working with the HR Modernization group to participate in the Three-Rank Eligibility Pilot Study for this exam.

These classifications are revenue generating for the State and we are continually filling vacant positions. Therefore, it is imperative that there is little disruption to the use of these eligibility lists.

We have been informed by SPB staff that we will be required to go before the Board to request approval to abolish the current BTR, CTR, and CR eligibility lists prior to the required 12 months. We request your assistance in obtaining permission to get this important item on the Board's next meeting agenda.

Thank you in advance for your support and prompt response to this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark A. Roth".

Mark Roth
Project Manager - Tri-Agency Exam Team
ARM Division Support Bureau, FTB
(916) 845-5422 Fax (916) 843-8398
mark.roth@ftb.ca.gov



WHEREAS, Article VII, Section 1, subdivision (b) of the California Constitution mandates that civil service appointments and promotions shall be made under a general system based on merit, as ascertained by competitive examination; and

WHEREAS, pursuant to the provisions of Article VII, Section 3, of the California Constitution, the State Personnel Board (Board) is the entity that has been tasked with the authority to oversee and enforce the State civil service statutes; and

WHEREAS, the current eligible lists for the Business Tax Representative (BTR), Tax Compliance Representative (TCR), and Compliance Representative (CR) are less than one year old and Board approval is needed to abolish the lists; and

WHEREAS, currently, candidates who seek employment with the State of California as a tax collector must participate in three separate examinations if they wish to gain list eligibility for the BTR, TCR, and CR classifications; and

WHEREAS, in February 2007, the Franchise Tax Board (FTB), Employment Development Department (EDD), and Board of Equalization (BOE) established the Tri-Agency Online Collector Exam Team (Team) to address the examination process for the BTR, TCR, and CR classifications; and

WHEREAS, the Team's mission was to create one online examination and streamline the process for candidates who are seeking employment with the State of California as a tax collector; and

WHEREAS, under the proposed examination process, candidates would be able to gain list eligibility for three classifications by successfully participating in the one online examination; and

WHEREAS, on December 18, 2008, the Team met with staff from the State Personnel Board (SPB) and the HR Modernization project to finalize the new Tri-Agency Online Collector Examination; and

WHEREAS, it was determined that due to the differences in the examination plans, examination methodology, and scoring structures, the eligible lists from the Tri-Agency Online Collector Examination will not be able to be merged with the current eligible lists for the BTR, TCR, and CR classifications; and

WHEREAS, the BTR, TCR, and CR classifications are revenue generating for the State of California and vacancies are filled on a continual basis; and

WHEREAS, it is important to maintain continuity to ensure that an eligible list is available on a continuous basis so that hires can be made when needed; and

WHEREAS, the Tri-Agency Online Collector Examination has been approved for the Three Rank Eligible List Pilot Study as a consortium examination; and

WHEREAS, on February 13, 2009, the FTB, EDD, and BOE stopped testing under the current process for the BTR, TCR, and CR classifications so that new candidates would not be added to the eligible lists; and

WHEREAS, upon the Board's approval to abolish the current eligible lists and implement the new Tri-Agency Online Collector Examination, the FTB, EDD, and BOE will:

- Advise eligibles that they will need to participate in the new Tri-Agency examination process to re-establish list eligibility and that by participating in the new process, they may gain eligibility for three classifications;
- Continue hiring from the existing eligible lists until the new Tri-Agency Online Collector Examination is released;
- Implement the new Tri-Agency Online Collector Examination and establish new eligible lists; and
- Abolish the current eligible lists for BTR, TCR, and CR once all active certifications from the current lists have been cleared; and

WHEREAS, by communication dated January 16, 2009, the impacted employee organization was notified of the proposed actions and provided 30 days to voice their objection or support; and

WHEREAS, to date, the State Personnel Board, FTB, EDD, and BOE have received no communication from the impacted employee organizations expressing any objections or concerns to the proposed actions; and

WHEREAS, the Board finds that to effect cost savings, enhance efficiency, streamline the BTR, TCR, and CR examinations, and promote consortium examinations, the Tri-Agency Online Collector Examination process

would better align examination and hiring practices with the vision of Human Resources Modernization, encourage qualified applicants to seek employment as a tax collector with the State of California, and allow departments more flexibility to meet critical hiring needs.

IT IS RESOLVED AND ORDERED THAT:

The Franchise Tax Board, Employment Development Department, and Board of Equalization are hereby authorized to abolish the current Business Tax Representative, Tax Compliance Representative, and Compliance Representative eligible lists as outlined above and implement the new Tri-Agency Online Collector Examination process.

* * * * *

The foregoing resolution was made and adopted by the State Personnel Board during its meeting of April 14, 2009, as reflected in the record of the meeting and Board minutes.



MEMORANDUM

DATE: March 26, 2009

TO: State Personnel Board

FROM: State Personnel Board
Merit Operations Division
Examination Services Program

SUBJECT: PROPOSED ABOLISHMENT OF THE ELIGIBLE LIST FOR
THE BOARD OF EQUALIZATION'S TAX TECHNICIAN I
CLASSIFICATION

The Board of Equalization (BOE) is requesting that the eligible list for the Tax Technician I classification be abolished. BOE has developed a new examination process which they seek to implement prior to the expiration of the current eligible list.

CONSULTED WITH

The impacted employee organization, Service Employees International Union (SEIU 1000) was notified on January 23, 2009, of the proposed action. SEIU 1000 was provided with a 30 day window in which to provide input; however, to date, the union has expressed no objections or concerns.

BACKGROUND

Currently, candidates who seek employment with the State of California as a Tax Technician I complete an application and submit a bubble-in test booklet. Test booklets are processed four times a year. The BOE has contracted with the State Personnel Board (SPB) Test, Validation and Construction Unit to develop a new online examination for the Tax Technician I classification. The online examination will consist of a paperless process, available on a continuous file, continuous testing basis. Candidates will receive their score immediately upon completion of their online exam session.

The current list resulted from an examination which utilized a different testing methodology and different scoring structure from the new online examination;

therefore, the BOE will not be able to merge the candidates from the new testing process with the candidates on the current eligible list.

The Tax Technician I classification is revenue generating for the State of California and the BOE fills vacancies on a continual basis. It is important to maintain continuity to ensure that an eligible list is available on a continuous basis so that hires can be made when needed. It is anticipated that there will be a minimal gap between the abolishment of the existing eligible list and the implementation of the new online examination.

PROPOSED ACTION

The current eligible list was established less than one year ago. To move forward with the new online Tax Technician I examination, the BOE requests approval to take the following actions:

1. Freeze the current Tax Technician I examination so that new candidates will not be added to the eligible list. The BOE requests approval to continue hiring from the existing eligible list until the new online Tax Technician I examination is released.
2. Notify all eligibles currently on the Tax Technician I eligible list that their eligibility will be abolished. Eligibles will be advised that they will need to participate in the new online Tax Technician I examination process to re-establish list eligibility.
3. Release the new online Tax Technician I examination and establish a new eligible list.
4. Abolish the current Tax Technician eligible list once the new online examination is released and all active certifications from the current list have been cleared.

RECOMMENDATION

The BOE has been working with SPB to streamline the examination process to enhance efficiency. Candidates will benefit as they will have immediate access to the examination process and their resulting score. This will encourage qualified applicants to seek employment as a Tax Technician I with the State of California. In addition, the new process will be more cost effective and allow the BOE more flexibility in meeting its critical hiring needs.

From: Gehrmann, Susan [mailto:Susan.Gehrmann@boe.ca.gov]
Sent: Friday, January 23, 2009 2:54 PM
To: Art Grubel
Cc: Fien, Lisa; Demes, Christine; Edmond, Jennifer
Subject: Notice to Review Tax Technician I Online Exam Implementation Process
Importance: High

Mr. Art Grubel:

This email is to notify the Union of our intent to abolish the current Tax Technician I (TT I) eligible list, which is less than 12 months old, once the new TT I online exam is available.

The Board of Equalization is working to streamline the testing process and make an online examination available for candidates to take at any time in lieu of the bubble in test booklet we are currently using, collecting, and scoring only four times a year.

In order to finalize this project the following steps must be taken:

1. Freeze the current TT I exam as soon as possible, so that new candidates will not be added to the list. However, we will continue to hire from these lists, until the new exam is released.
2. Notify all eligible's currently on the TT I list that their eligibility has been abolished and that they will need to re-test and take the new Online Tax Technician Exam.
3. Launch the new Tax Technician Exam and start establishing new eligibility list.
4. Abolish the old eligibility list once all active certifications have been cleared.

Please note that because the current TT I exam is not identical and has a different pass point established than the new online exam, we will not be able to merge the existing eligibility list with the new eligibility list. In addition, we anticipate a minimal gap between the implementation of the new online exam and the abolishment of the existing list.

I recognize that we must allow the Union 30 days to review our action plan to ensure the Union agrees with and supports the implementation process for the new exam. We are in process of securing a spot on the State Personnel Board's public meeting agenda on February 11, 2009. Attached is the memorandum submitted to the State Personnel Board. Knowing this is only allowing 19 days, is it possible for the Union to complete their review and approval prior to February 11, 2009?

We are confident that the union will embrace this change to better the exam process for potential Tax Technician I candidates. Thank you in advance for your support and prompt response to this request.

Susan Gehrmann, Manager
Exam & Recruitment Section
Board of Equalization
Susan.Gehrmann@boe.ca.gov
(916) 322-3210
(916) 323-3535 Fax



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

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BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario/Sacramento

MICHELLE STEEL
Third District, Rolling Hills Estates

JUDY CHU
Fourth District, Los Angeles

JOHN CHIANG
State Controller

RAMON J. HIRSIG
Executive Director

January 23, 2009

Ms. Suzanne Ambrose
Executive Officer
State Personnel Board
810 Capitol Mall
Sacramento, CA 95814

Dear Ms. Ambrose,

The intent of this letter is to request permission to abolish the current Board of Equalization (BOE) Tax Technician I (TT I) eligible list, which is currently less than 12 months old, once the new TT I Online Examination is available.

The Board of Equalization has contracted the services of the State Personnel Board's Testing, Validation and Construction unit to streamline the testing process and develop a TT I Online Examination that will be available for candidates to take on a continuous basis and will give candidates their score immediately. The new online examination will replace the current bubble in test booklet that is processed four times a year.

After the online examination was developed, it was determined that because our current examination and the new TT I Online Examination are not identical and have different pass points established, we will not be able to merge the existing eligibility list with the new eligibility list. In order to rectify this problem and move forward with finalizing this online examination, we are requesting to do the following:

1. Freeze the current TT I Exam as soon as possible, so that new candidates will not be added to the list. However, we will continue to hire from these lists, until the new exam is released.
2. Notify all eligible candidates currently on TT I list that their eligibility has been abolished and that they will need to re-test and take the new TT I Online Examination.
3. Launch the new TT I Online Examination and start establishing a new eligibility list.
4. Abolish the old eligibility list once all active certifications have been cleared.

The TT I classification is revenue generating for the State and we are continually filling vacant positions. Therefore, it is imperative that there is little disruption to the use of this eligibility list. We anticipate a minimal gap between the implementation of the new TT I Online Examination and the abolishment of the existing list.

In addition, we have notified the Union of the implementation process above for review and approval. We are confident that the Union will embrace this change to improve the examination process for the TT I candidates.

We have been informed by SPB staff that we will be required to go before the Board to request approval to abolish the current TT I eligibility list prior to the required 12 months. We request your assistance in obtaining permission to get this important item on the Board's next meeting agenda.

Thank you in advance for your support and prompt response to this request.

Sincerely,


Susan Gehrmann, Manager
Exam & Recruitment Section
Board of Equalization



WHEREAS, Article VII, Section 1, subdivision (b) of the California Constitution mandates that civil service appointments and promotions shall be made under a general system based on merit, as ascertained by competitive examination; and

WHEREAS, pursuant to the provisions of Article VII, Section 3, of the California Constitution, the State Personnel Board (Board) is the entity that has been tasked with the authority to oversee and enforce the State civil service statutes; and

WHEREAS, the current eligible list for the Tax Technician I is less than one year old and Board approval is needed to abolish the list; and

WHEREAS, currently, candidates who seek employment with the State of California as a Tax Technician I complete an application and submit a bubble-in test booklet; booklets are scored four times a year; and

WHEREAS, the Board of Equalization (BOE) has contracted with the State Personnel Board, Test, Validation and Construction Unit, to develop a new online examination for the Tax Technician I classification; and

WHEREAS, the new online examination will consist of a paperless process, available on a continuous file, continuous testing basis, with instant scoring; and

WHEREAS, it was determined that due to the differences in the examination plans, examination methodology, and scoring structures, the

eligibles from the new Tax Technician I online examination cannot be merged into the current BOE Tax Technician I eligible list; and

WHEREAS, Tax Technician I is revenue generating for the State of California and the BOE fills vacancies on a continual basis; and

WHEREAS, it is important to maintain continuity to ensure that an eligible list is available on a continuous basis so that hires can be made when needed; and

WHEREAS, it is anticipated that there will be a minimal gap between the abolishment of the existing eligible list and the implementation and use of the new online examination; and

WHEREAS, the BOE has stopped testing under the current Tax Technician I examination process so that new candidates would not be added to the eligible list; and

WHEREAS, upon the Board's approval to abolish the current Tax Technician I eligible list, the BOE will:

- Advise eligibles that they will need to participate in the new Tax Technician I online examination to re-establish list eligibility;
- Continue hiring from the existing Tax Technician I eligible list until the new Tax Technician I online examination is released and a new eligible list is established; and
- Abolish the current Tax Technician I eligible list once all active certifications from the current list have been cleared.

WHEREAS, by communication dated January 23, 2009, the impacted employee organization was notified of the proposed actions and provided 30 days to voice their objection or support; and

WHEREAS, to date, the State Personnel Board and the Board of Equalization have received no communication from the impacted employee organization expressing any objections or concerns to the proposed actions; and

WHEREAS, the Board finds that utilization of the new Tax Technician I online examination would assist the BOE's efforts to effect cost savings, enhance efficiency, and allow the BOE more flexibility in meeting its critical hiring needs.

IT IS RESOLVED AND ORDERED THAT:

The Board of Equalization is hereby authorized to abolish the current Tax Technician I eligible list and implement the new Tax Technician I online examination.

* * * * *

The foregoing resolution was made and adopted by the State Personnel Board during its meeting of April 14, 2009, as reflected in the record of the meeting and Board minutes.



MEMORANDUM

DATE: March 26, 2009

TO: State Personnel Board

FROM: State Personnel Board
Merit Operations Division
Examination Services Program

SUBJECT: PROPOSED ABOLISHMENT OF THE ELIGIBLE LIST
FOR THE BOARD OF EQUALIZATION'S TAX COUNSEL
CLASSIFICATION

The Board of Equalization (BOE) is requesting that the eligible list for the Tax Counsel classification be abolished upon BOE's receipt of approval to utilize the new Human Resource Modernization (HR Mod) Attorney (Staff Counsel) online examination.

CONSULTED WITH

The impacted employee organization, California Attorneys, Administrative Law Judges and Hearing Officers in State Employment (CASE), was notified on February 23, 2009, of the proposed action. CASE was provided with a 30 day window in which to provide input; however, to date, the union has expressed no objections or concerns.

BACKGROUND

The BOE has participated in the development of the new Attorney (Staff Counsel) online examination and has requested approval to use the new three rank pilot eligible list. Once approved, the BOE would use the new Attorney (Staff Counsel) eligible list as an appropriate for all hires to the Tax Counsel classification.

It has been determined that due to the differences in the exam plans, exam methodology, and scoring structures, the eligibles from the Attorney (Staff Counsel) online examination cannot be merged into the current BOE Tax Counsel eligible list.

It is important to maintain continuity to ensure that an eligible list is available on a continuous basis so that hires can be made when needed.

PROPOSED ACTION

The current eligible list was established less than one year ago. To move forward so that the BOE can utilize the new HR Mod Attorney (Staff Counsel) eligible list, the BOE requests approval to take the following actions:

1. Freeze the current Tax Counsel examination so that new candidates will not be added to the eligible list. The BOE requests approval to continue hiring from the existing eligible list until the BOE receives approval to utilize the new HR Mod Attorney (Staff Counsel) eligible list.
2. Notify all eligibles currently on the Tax Counsel eligible list that their eligibility will be abolished. Eligibles will be advised that they will need to participate in the new HR Mod Attorney (Staff Counsel) online examination to re-establish list eligibility.
3. Abolish the current Tax Counsel eligible list once the new Attorney (Staff Counsel) list is released and all active certifications from the Tax Counsel list have been cleared.

RECOMMENDATION

The BOE has been working with HR Mod to streamline the examination process to enhance efficiency. Candidates will benefit as they will have immediate access to the examination process and their resulting scores. Candidates will also gain eligibility for attorney positions with a variety of departments without participating in multiple examination processes. This will encourage qualified applicants to seek employment as an Attorney with the State of California. In addition, the new process will be more cost effective and allow the BOE more flexibility in meeting its critical hiring needs.

From: Gehrmann, Susan [mailto:Susan.Gehrmann@boe.ca.gov]
Sent: Monday, February 23, 2009 5:09 PM
To: kregan@calattorneys.org
Cc: Fien, Lisa; Demes, Christine; Edmond, Jennifer
Subject: 30 Day Notice of Intent to Abolish List

Ms. Katherine Regan:

This email is to notify the Union of our intent to abolish our current Tax Counsel eligible list, which is less than 12 months old, once we have permission to use the new HR Modernization Staff Counsel online exam.

The Board of Equalization has been working with the HR Modernization group in the development of the new Staff Counsel online exam and plan to use the eligible list as an appropriate for all hires to the Tax Counsel class.

In order to finalize this project the following steps must be taken:

1. Freeze our current Tax Counsel exam as soon as possible, so that new candidates will not be added to the list. However, we will continue to hire from this list, until approval to use the new exam has been established.
2. Notify all eligible's currently on our Tax Counsel list that their eligibility has been abolished and that they will need to re-test and take the new HR Modernization Staff Counsel Online Exam.
3. Abolish the old eligibility list once all active certifications have been cleared.

I recognize that we must notify the Union with 30 days to review to ensure the Union supports the early abolishment of the current Tax Counsel list. We are in process of securing a spot on the State Personnel Board's public meeting agenda for April, 2009. Attached is the memorandum submitted to the State Personnel Board.

We are confident that the union will embrace this change to better the exam process for potential Tax Counsel candidates. Thank you in advance for your support and prompt response to this request.

Susan Gehrmann, Manager
Exam & Recruitment Section
Board of Equalization
Susan.Gehrmann@boe.ca.gov
(916) 322-3210
(916) 323-3535 Fax



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

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BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario/Sacramento

MICHELLE STEEL
Third District, Rolling Hills Estates

JUDY CHU
Fourth District, Los Angeles

JOHN CHIANG
State Controller

RAMON J. HIRSIG
Executive Director

February 23, 2009

Ms. Suzanne Ambrose
Executive Officer
State Personnel Board
810 Capitol Mall
Sacramento, CA 95814

Dear Ms. Ambrose,

The intent of this letter is to request permission to abolish the current Board of Equalization (BOE) Tax Counsel eligible list, which is currently less than 12 months old, once we have approval to use the new Human Resource Modernization (HR Mod) Staff Counsel Online Examination.

The Board of Equalization has participated in the development of the new Staff Counsel Online examination and would like to participate in the use of the new three rank pilot eligible list. Once approved, the BOE will use the new Staff Counsel eligible list as an appropriate for all hires to the Tax Counsel class.

In order to start using the new Staff Counsel eligible list, we are requesting to do the following:

1. Freeze our current Tax Counsel Exam as soon as possible, so that new candidates will not be added to the list. However, we will continue to hire from this list, until we are approved to use the new HR Mod Staff Counsel list.
2. Notify all eligible candidates currently on our Tax Counsel list that their eligibility has been abolished and that they will need to re-test and take the new HR Mod Staff Counsel Online Examination.
3. Abolish the old eligibility list once all active certifications have been cleared.

We anticipate a minimal gap between the use of the new HR Mod Staff Counsel Online Examination and the abolishment of our existing Tax Counsel list.

In addition, we have notified the Union of the request to abolish the current Tax Counsel list prior to the 12 months. We are confident that the Union will embrace this change to improve the examination process for the Tax Counsel candidates.

We have been informed by SPB staff that we will be required to go before the Board to request approval to abolish the current Tax Counsel eligibility list prior to the required 12 months. We request your assistance in obtaining permission to get this important item on the Board's April meeting agenda.

Thank you in advance for your support and prompt response to this request.

Sincerely,

Susan Gehrmann, Manager
Exam & Recruitment Section
Board of Equalization



WHEREAS, Article VII, Section 1, subdivision (b) of the California Constitution mandates that civil service appointments and promotions shall be made under a general system based on merit, as ascertained by competitive examination; and

WHEREAS, pursuant to the provisions of Article VII, Section 3, of the California Constitution, the State Personnel Board (Board) is the entity that has been tasked with the authority to oversee and enforce the State civil service statutes; and

WHEREAS, the current eligible list for the Tax Counsel is less than one year old and Board approval is needed to abolish the list; and

WHEREAS, the Board of Equalization has participated in the development of the new HR Modernization Attorney (Staff Counsel) Online Examination; and

WHEREAS, the Board of Equalization has requested approval to utilize the new HR Modernization three rank pilot Attorney (Staff Counsel) eligible list as an appropriate for all hires to the Tax Counsel classification; and

WHEREAS, examination applicants will benefit from utilization of the HR Modernization Attorney (Staff Counsel) Online Examination as they will have immediate access to the examination process and their resulting score; and

WHEREAS, candidates will gain eligibility for attorney positions at a variety of departments without the need to participate in multiple examinations, and departments, including the Board of Equalization, will avoid the need to administer duplicative and costly examinations; and

WHEREAS, it was determined that due to the differences in the examination plans, examination methodology, and scoring structures, the eligibles from the Attorney (Staff Counsel) Online Examination will not be able to be merged into the current BOE Tax Counsel eligible list; and

WHEREAS, it is important to maintain continuity to ensure that an eligible list is available on a continuous basis so that hires can be made when needed; and

WHEREAS, on March 24, 2009, the BOE stopped testing under the current Tax Counsel examination process so that new candidates would not be added to the eligible list; and

WHEREAS, upon the Board's approval to abolish the current Tax Counsel eligible list, the BOE will:

- Advise eligibles that they will need to participate in the new HR Modernization Attorney (Staff Counsel) Online Examination to re-establish list eligibility;
- Continue hiring from the existing Tax Counsel eligible list until approval is granted to abolish the existing Tax Counsel eligible list; and
- Abolish the current Tax Counsel eligible list once all active certifications from the current list have been cleared; and

WHEREAS, by communication dated February 23, 2009, the impacted employee organization was notified of the proposed actions and provided 30 days to voice their objection or support; and

WHEREAS, to date, the State Personnel Board and the Board of Equalization have received no communication from the impacted employee organization expressing any objections or concerns to the proposed actions; and

WHEREAS, the Board finds that utilization of the new HR Modernization Attorney (Staff Counsel) Online Examination would assist the Board of Equalization's efforts to effect cost savings, enhance efficiency, promote consortium examinations, better align examination and hiring practices with the vision of Human Resources Modernization, and allow the Board of Equalization more flexibility to meet its critical hiring needs.

IT IS RESOLVED AND ORDERED THAT:

The Board of Equalization is hereby authorized to abolish the current Tax Counsel eligible list upon the BOE receiving approval to utilize the HR Modernization Attorney (Staff Counsel) Online Examination process.

* * * * *

The foregoing resolution was made and adopted by the State Personnel Board during its meeting of April 14, 2009, as reflected in the record of the meeting and Board minutes.



MEMORANDUM

DATE: March 24, 2009

TO: State Personnel Board

FROM: State Personnel Board
Merit Operations Division
Examination Services Program

SUBJECT: PROPOSED ABOLISHMENT OF THE DEPARTMENT OF
TRANSPORTATION CALTRANS MAINTENANCE AREA
SUPERINTENDENT CERTIFICATION LIST

The Department of Transportation (CalTrans) is requesting that the CalTrans Maintenance Area Superintendent (CMAS) certification list be abolished. The certification list was established and released on January 13, 2009.

On January 30, 2009, the CalTrans Office of Examination and Recruitment Services (CalTrans Exams) received an anonymous package which contained materials related to the CMAS examination. A cover letter claimed that copies of the exam material was circulating in the various CalTrans districts, and could be purchased for up to \$2,000.00. The enclosed materials included copies of questions and multiple choice items from the 2005 version of the CMAS test booklet.

CalTrans initiated an investigation and took the following actions:

1. On January 30, 2009, CalTrans Exams notified all hiring staff not to process appointments from the CMAS eligible list.
2. CalTrans Exams reviewed the documentation contained in the package. It appeared that the materials included a purported copy of the 2005 version of the CMAS test booklet. It was determined that material from the 2005 CMAS test booklet was used to create the 2009 version of the CMAS test. Many of the same questions and multiple choice items were included in both the 2005 and 2009 test booklets. It was also determined that the sender did not submit an original CMAS Test Booklet or Master Copy as there were typographical, format and type errors. In addition, the test question numbers and letter response choices were handwritten rather than typed, and not all of the

answers which had been circled to suggest they were the correct responses were accurate.

In accordance with SPB Selection Manual Procedures Section 3120, which outlines the rules related to document retention, the majority of the materials from the 2005 CMAS exam had been purged; however, the remaining exam material was retrieved. A 2005 Proctor's Report revealed that there had been a possible breach in exam security during the 2005 test administration; however, no evidence remained in the file as to whether the incident was investigated and/or resolved. In addition, it was discovered that the 2001 and 2005 CMAS exam booklets were still located on the CalTrans Exams W-Drive. They had not been removed and stored on disk as mandated by CalTrans Exam security policy.

3. CalTrans Exams informed the State Personnel Board (SPB) Examination Services Program Manager of the breach in exam security. CalTrans Exams asked that the January 13, 2009, CMAS eligible list be frozen. On February 4, 2009, the CMAS eligible list was officially frozen.
4. On February 11, 2009, CalTrans Exams notified all CMAS candidates of the exam status. CalTrans Exams confirmed that no appointments had been made from the January 13, 2009 CMAS eligible list.
5. Further investigation could not determine who sent the anonymous packet. Despite accusations regarding one specific candidate, there was no evidence that she or any other test competitor had access to, and/or used or benefited from, materials inappropriately obtained prior to the examination.

PROPOSED ACTION

The CMAS eligible list was established and released less than one year ago. CalTrans requests that the SPB abolish the January 13, 2009 CMAS list. CalTrans Exams and Subject Matter Experts are currently developing a new written examination booklet. CalTrans seeks to test and establish a new eligible list as soon as the January 13, 2009 list is abolished.

RECOMMENDATION

CalTrans Exams is taking additional steps to improve their exam security. As of February 2009, CalTrans Exams will be placing numbered seals on the locked boxes which are used to send exam material to the various test locations. In addition, verification that the seals have only been broken by appropriate staff will be included in the exam audit process.

The SPB Examination Services Program recommends that the Board abolish the January 13, 2009 eligible list. The examination has been seriously compromised as evidenced by the submission of materials from an anonymous source which includes copies of actual test questions, multiple choice items, and possible responses. In addition, despite extensive investigation, it has not been possible to determine if any of the 2009 candidates had an unfair advantage during the testing process. To ensure fairness, and the establishment of an eligible list based on merit, it is recommended that CalTrans re-administer the CMAS examination.



WHEREAS, Article VII, Section 1, subdivision (b) of the California Constitution mandates that civil service appointments and promotions shall be made under a general system based on merit, as ascertained by competitive examination; and

WHEREAS, pursuant to the provisions of Article VII, Section 3, of the California Constitution, the State Personnel Board (Board) is the entity that has been tasked with the authority to oversee and enforce the State civil service statutes; and

WHEREAS, on January 13, 2009, the Department of Transportation (CalTrans) established and released the certification list for the CalTrans Maintenance Area Superintendent (CMAS) classification; and

WHEREAS, on January 30, 2009, the CalTrans Office of Examination and Recruitment Services (CalTrans Exams) received an anonymous package which contained materials related to the CMAS examination, including a cover letter which claimed that copies of the examination material was circulating in the various CalTrans districts and could be purchased for up to \$2,000.00; and

WHEREAS, the packet included copies of examination questions and multiple choice items from the 2005 version of the CMAS test booklet; and

WHEREAS, on January 30, 2009, CalTrans Exams notified all CalTrans hiring staff not to process appointments from the CMAS eligible list; and

WHEREAS, CalTrans Exams commenced an investigation into the 2009 administration of the CMAS examination; and

WHEREAS, CalTrans Exams determined that materials from the 2005 CMAS test booklet were used to create the 2009 version of the CMAS test; and

WHEREAS, many of the same questions and multiple choice items were included in both the 2005 and 2009 test booklets; and

WHEREAS, in accordance with SPB Selection Manual Procedures Section 3120, which outlines the rules related to document retention, the majority of the materials from the 2005 CMAS examination had been purged; however, the remaining examination materials were retrieved; and

WHEREAS, a 2005 Proctor's Report revealed that there had been a possible breach in examination security during the 2005 CMAS test administration; however, no evidence remained in the file as to whether the incident was investigated and/or resolved; and

WHEREAS, it was discovered during the course of the 2009 investigation that the 2001 and 2005 CMAS examination booklets were still located on the CalTrans Exams W-Drive and had not been removed and stored on disk as mandated by CalTrans Exam security policy; and

WHEREAS, CalTrans Exams informed the State Personnel Board Examination Services Program Manager of the breach in examination security and requested that the January 13, 2009, CMAS eligible list be frozen; and

WHEREAS, on February 4, 2009, the CMAS eligible list was officially frozen; and

WHEREAS, on February 11, 2009, CalTrans Exams notified all CMAS eligibles of the examination status; and

WHEREAS, CalTrans Exams confirmed that no appointments had been made from the January 13, 2009 CMAS eligible list; and

WHEREAS, further investigation could not determine who sent the anonymous packet or the extent to which examination participants were exposed to the examination materials prior to the administration of the 2009 CMAS test administration; and

WHEREAS, the evidence clearly indicates that the 2009 CMAS test materials were compromised and the examination was not conducted in a fair, merit based environment; and

WHEREAS, the 2009 CMAS eligible list was established and released less than one year ago and Board approval is required to abolish the list; and

WHEREAS, CalTrans Exams and Subject Matter Experts are currently developing a new written CMAS test booklet; and

WHEREAS, CalTrans seeks to test and establish a new eligible list as soon as the January 13, 2009 eligible list is abolished; and

WHEREAS, CalTrans Exams will notify all eligibles from the January 13, 2009 eligible list of the need to retest to established list eligibility; and

WHEREAS, CalTrans Exams is taking steps to improve examination security by placing numbered seals on the locked boxes which are used to send examination material to the test locations, including verification during the examination audit process that the seals were only broken by the appropriate staff; and

WHEREAS, the 2001, 2005 and 2009 versions of the CMAS test booklet

were removed from the CalTrans Exams W-Drive and stored on disk; and

WHEREAS, the Board finds that the 2009 CMAS exam administration was compromised as examination security was breached.

IT IS RESOLVED AND ORDERED THAT:

The Department of Transportation is hereby authorized to abolish the January 13, 2009 CMAS eligible list and implement testing with the new test booklet.

* * * * *

The foregoing resolution was made and adopted by the State Personnel Board during its meeting of April 14, 2009, as reflected in the record of the meeting and Board minutes.

CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

This section of the Agenda serves to inform interested individuals and departments of proposed and approved CEA position actions. The first section lists position actions that have been proposed and are currently under consideration. Any parties having concerns with the merits of a proposed CEA position action should submit their concerns in writing to the Classification and Compensation Division of the Department of Personnel Administration, the Consulting Services Division of the State Personnel Board, and the department proposing the action. To assure adequate time to consider objections to a CEA position action, issues should be presented immediately upon receipt of the State Personnel Board Agenda in which the proposed position action is noticed as being under consideration, and generally no later than a week to ten days after its publication. In cases where a merit issue has been raised regarding a proposed CEA position action and the dispute cannot be resolved, a hearing before the five-member Board may be scheduled. If no merit issues are raised regarding a proposed CEA position action, and the State Personnel Board approves it, the action becomes effective without further action by the Board. The second section of this portion of the Agenda reports those position actions that have been approved. They are effective as of the date they were approved by the Executive Officer of the State Personnel Board.

A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION

(1) ASSISTANT DEPUTY DIRECTOR, FIRE ENGINEERING AND ENFORCEMENT

The California Department of Forestry and Fire Protection propose revision to the above existing CEA allocation for the above position. The position will serve as the Assistant Deputy Director, Pre-Fire Planning, Prevention, and Fleet Administration to Assistant Deputy Director, Fire Engineering and Enforcement. The proposed position is responsible for the development and implementation of statewide policies for fire prevention, law enforcement, and civil cost recovery and collection programs. The requested revision will reflect the State's need to place greater emphasis on fire prevention and law enforcement programs, and will change the title.

(2) VICE CHANCELLOR OF COMMUNICATIONS

The California Community Colleges Chancellor's Office is proposing to establish the above CEA allocation. The Vice Chancellor will develop and implement comprehensive communications and public relations plans in support of the Chancellor's Office mission and System Strategic Goals, and will serve as the primary spokesperson on behalf of the California Community Colleges System, the Chancellor, and the Board of Governors.

(3) DEPUTY DIRECTOR, OPERATIONS DIVISION

The Department of Child Support Services proposes to allocate the above position to the CEA category on a permanent full time basis. The Deputy Director, Operations Division is responsible for the effective formulation, implementation, and evaluation of all operational policies and procedures pertaining to the department's statewide child support collections, disbursement activities, enhanced enforcement, and customer service activities.

(4) DEPUTY DISTRICT DIRECTOR, ADMINISTRATION, DISTRICT 3

The Department of Transportation proposes to allocate the above position to the CEA category. The position will serve as the District 3 Director's Chief of Staff and the primary advisor to the District Director on matters pertaining to the business functions of the District. The position develops and implements policies for the offices of Business Management, Public Information and Graphic Services, Health and Safety and Equal Employment Opportunity, and Budgets. The position establishes District policy, procedure, and evaluation criteria that ensure District resource management activities are performed within departmental policy direction and program goals.

(5) DEPUTY DISTRICT DIRECTOR, ADMINISTRATION, DISTRICT 6

The Department of Transportation proposes to allocate the above position to the CEA category. The position serves as the District 6 Director's Chief of Staff and is the primary advisor to the District Director on matters pertaining to the business functions of the District. The position develops and implements policies for the offices of Business Management, Budgets, Public Information, Small Business, Conflict Resolution, Adverse Action, and Equal Opportunity. The position establishes District policy, procedure, and evaluation criteria to ensure District resource management activities are performed within departmental policy direction and program goals.

(6) DEPUTY DISTRICT DIRECTOR, RIGHT OF WAY, DISTRICT 8

The Department of Transportation, proposes to allocate the above position to the CEA category. The Deputy District Director is responsible for the development and implementation of policies in the offices of Right of Way Project Delivery, Project Coordination, Planning Management, Real Property Services, and Excess Lands. The position develops and implements policies to coordinate all phases of the District's Right of Way program and develops policies and strategic plans relative to all facets of safe right of way and security of the state highway system within the District.

B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS

(1) SENIOR VICE PRESIDENT OF FINANCE

The State Compensation Insurance Fund's request to allocate the above position to the CEA category has been approved effective March 11, 2009.

(2) DIRECTOR OF CLINICAL INTEGRATION

The California Prison Health Care Service's request to allocate the above position to the CEA category has been approved effective March 11, 2009.

(3) CHIEF DEPUTY, PROGRAM OPERATIONS

The California Department of Corrections and Rehabilitation's request to allocate the above position to the CEA category has been approved effective March 11, 2009.

(4) DISTRICT 4, DEPUTY DISTRICT DIRECTOR, ADMINISTRATION

The Department of Transportation's request to allocate the above position to the CEA category has been approved effective March 11, 2009.

(5) DISTRICT 7, DEPUTY DISTRICT DIRECTOR, ADMINISTRATION

The Department of Transportation's request to allocate the above position to the CEA category has been approved effective March 11, 2009.

(6) DIRECTOR, INVESTIGATION BUREAU

The Franchise Tax Board's request to allocate the above position to the CEA category has been approved effective March 26, 2009.

(7) CHIEF, MEDICAL REVIEW BRANCH, AUDITS AND INVESTIGATIONS

The Department of Health Care Services' request to revise the above position has been approved effective March 26, 2009.

(8) AMERICANS WITH DISABILITIES ACT INFRASTRUCTURE PROGRAM MANAGER

The Department of Transportation's request to allocate the above position to the CEA category has been approved effective March 26, 2009.

(9) DEPUTY DIRECTOR, ADMINISTRATIVE SERVICES

The California Unemployment Insurance Appeals Board's request to allocate the above position to the CEA category has been approved effective March 26, 2009.

SUBMITTED ITEMS NOT SCHEDULED FOR ACTION

These items have been taken under submission by the State Personnel Board at a prior meeting and are not scheduled for action at this meeting.

A. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION'S PROPOSED ESTABLISHMENT OF NEW CLASS, MENTAL HEALTH THERAPIST

Department of Corrections and Rehabilitation proposed the establishment of a new class, Mental Health Therapist, Correctional Facility, with a twelve month probationary period and designation of the class as sensitive under State Personnel Board Rule 213 for the purpose of pre-employment drug testing.

B. RECEIVER'S REQUEST FOR DELEGATION AND MODIFICATION TO PROCESSES

The Receiver's Office requested the Board delegate several classification functions to the Receiver's Office, subject to Board audit, and requested the Board approve revised procedures for reviewing examination and classification requests submitted by the Receiver's Office.

SUBMITTED ITEMS SCHEDULED FOR ACTION

These items have been taken under submission by the State Personnel Board at a prior meeting and are scheduled for action at this meeting.

A. RECEIVER'S CLINICAL ADMINISTRATOR

TITLE REVISED TO: RECEIVER'S HEALTH CARE ADMINISTRATOR

The California Prison Health Care Services requests establishment of the above position in order to create a clinical management structure within the California Department of Corrections and Rehabilitation's adult institutions.

DATE: April 14, 2009

TO: STATE PERSONNEL BOARD

FROM: Karen Coffee, Chief HR Planning and Innovation
California Prison Health Care Services

SUBJECT: Proposed establishment of a new classification, Receiver's Health Care Administrator, with a one year probationary period.

SUMMARY OF ISSUES:

Federal Court Receiver Clark Kelso requests the establishment of a classification entitled Receiver's Health Care Administrator in order to create a clinical management structure within the California Department of Corrections and Rehabilitation's adult institutions. Positions within this class may be assigned as the statewide Chief or Assistant Chief in a health care administrative program including Operations Officer, Health Records, Clinical Support Services, and Telemedicine, and Quality Improvement.

CONSULTED WITH:

Julie Chambers, Department of Personnel Administration
Linda Buzzini, California Prison Health Care Services
John Hagar, California Prison Health Care Services
Dr. Terry Hill, California Prison Health Care Services

BACKGROUND:

On February 14, 2006, the United States District Court for the Northern District of California appointed Receiver Robert Sillen and set forth his duties in the Order Appointing Receiver ("Order").

The Order confers responsibility upon the Receiver to manage the California prison medical health care delivery system with the goal of restructuring the day-to-day operations and developing, implementing and validating a new, sustainable system that provides for constitutionally-adequate medical care as soon as practicable.

To this end, the Receiver has the Court ordered duty:

“...to control, oversee, supervise and direct all administrative, personnel, financial, accounting, contractual, legal and other operational functions of the medical delivery component of CDCR.”
(Order Appointing Receiver, p.2, lines 15-17)

The Order further provides the Receiver:

“...shall exercise all powers vested by law in the Secretary of CDCR as they relate to the administration, control and management, operation and financing of the California prison medical health care system.” (Order Appointing Receiver, lines 4-7)

Among the Receiver’s specified powers are:

“...the ability to hire, fire, suspend, supervise, promote, transfer, discipline and take all other personnel actions regarding CDCR employees or contract employees who perform services related to the delivery of medical health care.” (Order Appointing Receiver, p.4, lines 13-17)

The Order also empowers the Receiver to:

“...establish personnel policies and to create, abolish or transfer positions related to the delivery of medical health care to class members.”

On July 3, 2007, an Order Re Receiver’s Motion for Waiver of State Law re Receiver’s Career Executive Assignments was issued, which recognized that:

“...the lack of medical leadership has...profound consequences for the delivery of medical care...[and] remedying the unconstitutional medical conditions within CDCR will necessarily require the infusion of new medical care executives/administrators who are well qualified and committed to revamping the current dysfunctional system and establish a culture of competence and professionalism.” (Order Re Receiver’s Motion Re...Receiver Career Executive Assignments, p.5, lines 16-20)

“...the Receiver can only succeed in this goal if he is able to hire medical health care executives/administrators through an open, competitive process that includes applicants from inside or outside State service.”

The Court ordered the Receiver and State Personnel Board (SPB) to meet and confer, and thereafter submit a joint report regarding whether they were able to agree upon “a mechanism for hiring medical health care executives/administrators for the CDCR” consistent with its Order.

On August 20, 2007, the SPB and Receiver entered into a stipulation regarding a mechanism for satisfying the objectives of the Receiver and the legitimate

concerns raised by the Receiver and the SPB, in a manner consistent with the California Constitution. On September 11, 2007, the stipulation was adopted as an order of the Court.

The Receiver's Health Care Administrator classification is the fifth classification to be developed under the auspices of this order. This class encompasses non-licensed health care administrators such as the statewide Chief and Assistant Chief Operations Officer, Health Records, Clinical Support Services, and Telemedicine, and Quality Improvement.

Incumbents in this class direct the development and implementation of health care administrative programs and policies, staffing plans, training and educational programs, and formulate and make or recommend decisions regarding budgetary matters.

The classification includes minimum education, and experience requirements, desirable qualifications, special personal characteristics, special physical characteristics, and core competencies identified by subject matter experts as essential to successful job performance.

PROBATIONARY PERIOD:

A one year probationary period is appropriate for this class due to the professional nature of the job duties and the annual cyclical nature of some key job duties such as budget preparation and management.

SELECTION AND APPOINTMENT CONSIDERATIONS:

Initial examination and appointment into the class will be based on the degree to which candidates possess or exceed the minimum qualifications and desirable education and experience requirements. Possession of core competencies will be assessed during the hiring process as well as during any limited term appointment and the one year probationary period, the final phase of the selection process. Individuals who are successful in the minimum and desirable qualifications based examination may be appointed to various types of assignments within the class. Per the aforementioned order, the Receiver may "...appoint individuals from the list...either permanently...or on a limited term basis for up to two years."

RECOMMENDATION:

That the classification of Receiver's Health Care Administrator be established with a one-year probationary period; and that the proposed specification as shown in this calendar be adopted effective April 14, 2009.

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code:
Class Code:
Established: _____
Revised: --
Title Changed: --

RECEIVER'S HEALTH CARE ADMINISTRATOR

SCOPE

This specification describes clinical administrator positions with comprehensive administrative management responsibility for delivery of inmate patient health care. Positions within this class may be assigned as the statewide Chief or Assistant Chief in a health care administrative program including medical operations/administration, health records, clinical operations, clinical support, telemedicine, and medical quality improvement.

TYPICAL TASKS

Serve as the highest and second highest administrator and manage a major administrative health care program within the California Department of Corrections and Rehabilitation, adult institutions; manage and coordinate the given administrative service; plan for service delivery in any new facilities; participate in the development of enterprise-wide health information technology; ensure that practices comply with appropriate standards to deliver evidence-based, patient-centered care; ensure that institutions statewide have implemented an effective system that certifies competence to perform clinical duties; ensure that all services and patient record keeping are in compliance with federal and state laws and regulations; provide direct supervision of staff; functionally supervise regional and/or institutional managers of their administrative discipline regarding standards of practice, optimal medical work processes, and achievement thereof; participate in the selection of managers and recommend the appointment of candidates to the hiring authority; develop and monitor performance expectations; perform competency assessments; mentor and coach staff throughout the state; assist in evaluating staff and recommend corrective and adverse action to the hiring authority; develop and maintain ongoing programs to deliver, monitor, evaluate, and continuously improve the quality and appropriateness of health care within their scope of responsibility; ensure that administrative health care services are well-functioning and that the timely provision of service is available to staff and patients in accordance with appropriate standards of care; provide guidance and direction to subordinates in carrying out their responsibilities to ensure an even flow of work assignments, personnel, and patients; ensure and maintain required documentation for compliance with pertinent licensing, regulatory and legal requirements; ensure

regulatory and legal requirements; ensure compliance with safety, environmental and infection control standards; develop, implement, maintain and enforce policies, procedures and protocols; direct the development and implementation of staffing plans; ensure that all employees are properly oriented, trained, and that annual competencies, certifications, and licensure and education requirements are current; enhance professional growth and development of department staff through participation in educational programs, current literature, in-service meetings and workshops; compile and prepare reports and analyses reflecting volume of work, procedures utilized and output results and setting forth progress, adverse trends and appropriate recommendations and/or conclusions; assess and communicate recommendations for utilization of space, space needs, personnel and other resources as needed to meet patient needs; evaluate and recommend supplies, new equipment purchase, selection, and technologies; formulate and assist with the formulation of operational and capital budgets, negotiate and manage contracts with vendors as needed; make decisions or recommend a course of action with regard to management of the budget; participate in space and program planning for any new health care facilities; participate in planning for new information technology solutions and serve as subject matter expert as needed; serve on interdisciplinary committees as requested; develop and foster collaboration with mental health, dental, and medical staff, nursing, clinical departments, and custody staff to ensure an integrated and coordinated approach to providing services and resolution of complaints or problems.

MINIMUM QUALIFICATIONS

Experience: Three years of progressively responsible experience in health care administration or medical management, which must have included at least two years with responsibility for supervision of a broad variety of clinical administrative, management, and clinical support services in a setting comparable to those found within a hospital, health maintenance organization, or other health care system.
and

Education: Possession of a Master's Degree in Public Health, Health Administration, Medical Management, Health Planning, Public Administration, or a closely related health professional or business management field.

Or II

Experience: Five years of progressively responsible experience in health care administration or medical management which must have included at least three years with responsibility for supervision of a broad variety of clinical administrative, management, and clinical support services in a setting comparable to those found within a hospital, health maintenance organization, or other health care system.
and

Education: Possession of a Bachelor's Degree from a recognized college or university

ADDITIONAL DESIRABLE QUALIFICATIONS

Administrative clinical experience in a correctional facility; and experience in health care program design and development.

REQUIRED CORE COMPETENCIES

Professional/technical expertise: Is comprehensively knowledgeable of the most current information, techniques, practices, laws, and regulations of the field; has clear developmental record of formal and on-the-job acquisition of knowledge and skills of the occupation; uses knowledge and judgment in applying appropriate methods and techniques to ensure speed, quality, and consistency in work products; and handles the most challenging tasks requiring technical expertise.

Customer and patient focus: Shows interest in and understanding of the needs, expectations, and circumstances of internal and external customers and patients at the individual, group, or organizational level; explores options and pursues solutions to resolve issues of customers or patients; is responsive, pleasant, and professional; looks at the organization and its services from the customer's and patient's point of view; and seeks and uses customer and patient feedback to improve services or products.

Teamwork: Understands his/her role on the team, yet does whatever is needed to make the team successful; helps team members who need or ask for support or assistance; puts team results ahead of personal success; brings out the best in others on the team; and shares credit for group accomplishments.

Valuing diversity: Sees the benefit of having differing backgrounds and points of view in the workplace, and leverages those differences in group processes and decision making; and supports professional development and career opportunity equally for all.

Managing performance: Sets and aligns individual performance goals with the goals of the unit; involves employees in setting their performance goals; ensures employees have the means and skills to accomplish their goals; tracks and measures individual and unit performance; provides ongoing feedback; treats all employees in an objective and consistent manner; and intervenes to correct poor performance, following steps of progressive discipline.

Leadership: Creates a positive work environment in which all staff are motivated to do their best; ensures that clear, challenging, and attainable goals are set for a group and that these goals are aligned with the goals of the organization/department; ensures that the

importance and benefits of goals and methods are understood and accepted by those who will carry them out; and conveys confidence and optimism in the group's ability to overcome obstacles and accomplish its goals.

Planning and organizing: Determines the logically necessary sequence of activities and the efficient level of resources needed to achieve a goal; recognizes and addresses the interdependencies of activities and resources; clarifies roles and responsibilities; anticipates problems and mitigates risks; and produces a realistic schedule of completion.

Organizational savvy: Understands the inner workings and interrelationships of the organization; knows whose support is needed to cut red tape; gets things done through formal channels and informal networks; maintains good working relationships with key players throughout the organization; and aligns and maneuvers organizational resources and internal politics skillfully to solve problems or accomplish goals.

Process improvement: Knows how to separate and combine activities into efficient workflow; benchmarks best practices in the industry; knows what to measure and how to measure it for tracking quality, quantity, schedule, resource utilization, and customer feedback; knows how to identify process problems and opportunities for improvement and simplification; and leverages technology.

Developing others: Coaches others regardless of performance level; shows insight into causes of poor performance and how performance can be improved; shares knowledge and expertise willingly; offers on-going feedback, suggestions, and encouragement; acknowledges progress and growth; and supports others' career development plans.

Managing change: Understands the dynamics of organizational change; knows and guides the planning, process changes, role redefinition, retraining, incentive, and communication steps in transitioning from one organizational state to another; involves key stakeholders in planning and decision making; maintains a high level of communication about the reasons, benefits, opportunities, and difficulties of change; and encourages others and supports them through the transition.

Strategic view: Focuses on the future and where current trends will lead; understands the factors that are shaping the industry and anticipates the opportunities that will be opening and closing; keeps an eye on the big picture and long-range possibilities and implications; and makes, evaluates, and revises long-range plans and goals taking into consideration the organization's core competencies, customers, competition, available resources, and strengths and weaknesses.

Assessing Talent: Understands and recognizes the qualities that differentiate highly successful employees from the average ones; is an

astute observer of others' performance; shows skill in asking questions and eliciting detailed and accurate information regarding others' capabilities and weaknesses; and reaches well-articulated conclusions regarding others' strengths and developmental needs.

Relationship Building: Develops and maintains work relationships and continuously works to improve relationships, contacts, and network; maintains an open and approachable manner and easily builds rapport with others; respects others regardless of differences in interest, perspectives, background, and organizational level; and treats others sensitively, fairly, and consistently.

Negotiating: Gains rapport and trust from other parties; works from a strong knowledge base; wins concessions from others; seeks mutually agreeable trade-offs in deal-making; questions and counters others' proposals without damaging relations; holds ground appropriately; and knows how to walk away amicably with the best deal possible.

Handling Conflict: Deals with interpersonally and/or politically challenging situations calmly and diplomatically, diffusing tension; thoughtfully intervenes in conflicts to facilitate communication and resolve problems, finding common ground when possible; and handles complaints and disputes with composure and tact.

Oral Communication: Uses correct vocabulary and grammar; presents information clearly and in an organized manner; gets to the point; questions others skillfully; recognizes nonverbal cues in listeners and adjusts speech and tone accordingly; adjusts word choice according to the audience and purpose; and uses tone, inflection, pauses, and body language for increased impact.

EVIDENTIARY CASES

A. ADMINISTRATIVE LAW JUDGES' PROPOSED DECISIONS AFTER HEARING

The Board Administrative Law Judges (ALJ) conduct evidentiary hearings in appeals that include, but are not limited to, adverse actions, medical terminations, demotions, discrimination, reasonable accommodations, and whistleblower complaints.

These are ALJ proposed decisions submitted to the Board for the first time.

- (1) **CASE NO. 08-3017**
Appeal from Five Percent Reduction in Salary for 12 Months
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- (2) **CASE NO. 07-4017**
Appeal from Dismissal
Classification: Network Analyst-Career
Department: California State Polytechnic University, Pomona
- (3) **CASE NO. 07-3370**
Appeal from Ten Percent Reduction in Salary for 24 Months
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- (4) **CASE NOS. 06-3399E, 07-1797E, 07-1864E, CASE NO. 07-1785E**
Retaliation Complaints and Whistleblower Complaint
Classification: Attorney
Department: Department of Transportation
- (5) **CASE NO. 05-3448**
Appeal from Dismissal
Classification: Officer, CHP
Department: Department of California Highway Patrol
- (6) **CASE NO. 08-1019**
Appeal from Dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation

- (7) **CASE NO. 08-0141**
Appeal from Dismissal
Classification: Physician and Surgeon (Correctional Facility)
Department: Department of Corrections and Rehabilitation
- (8) **CASE NO. 07-1739**
Appeal from dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- (9) **CASE NOS. 08-4525, 08-4526 & 08-4691**
Appeal from Reduction in Salary, Dismissal and Suspension
Classification: Correctional Sergeant
Department: Department of Corrections and Rehabilitation
- (10) **CASE NO. 07-1728**
Appeal from Five Percent Reduction in Salary for ten pay periods
Classification: Youth Correctional Counselor
Department: Department of Corrections and Rehabilitation
- (11) **CASE NO. 07-3328**
Appeal from Non-Punitive Termination
Classification: Teacher-High School (Correctional Facility)
Department: Department of Corrections and Rehabilitation
- (12) **CASE NO. 08-2075**
Discrimination and Retaliation Complaint
Classification: Case Records Manager
Department: Department of Corrections and Rehabilitation and Associate Warden Vivienne Yamamoto
- (13) **CASE NOS. 06-2459, 07-0992, 07-2071 & 07-0114E**
Appeal from 40 hours Suspension, 15 days Suspension, Dismissal and Whistleblower Retaliation Complaint
Classification: Conservationist I
Department: California Conservation Corps
- (14) **CASE NO. 08-0322**
Appeal from Dismissal
Classification: Research Program Specialist II-Economics
Department: Department of Industrial Relations

PROPOSED DECISIONS AFTER BOARD REMAND

NONE

PROPOSED DECISIONS AFTER SPB ARBITRATION

NONE

B. PETITIONS FOR REHEARING

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a case already decided by the Board.

NONE

C. PENDING BOARD REVIEW

These cases are pending preparation of transcripts, briefs, or the setting of oral argument before the Board. No materials included.

(1) CASE NO. 04-2605A, CASE NO. 04-2614A, CASE NO. 04-2606A, CASE NO. 04-2607A, CASE NO. 04-2608A, CASE NO. 04-2611A

Appeals from Dismissal

Classifications: Correctional Sergeant and Correctional Officer

Department: Department of Corrections and Rehabilitation

Decision rejected January 14, 2009.

Transcripts prepared.

Oral argument set for June 9, 2009.

(2) CASE NO. 07-3421PA

Appeal from Dismissal

Classification: Correctional Officer

Department: Department of Corrections and Rehabilitation

Petition for rehearing granted October 21, 2008.

Transcripts prepared.

Oral argument set for February 11, 2009.

Oral argument continued.

Oral argument set for April 14, 2009.

Oral argument continued.

(3) CASE NO. 07-3302A

Appeal from Dismissal

Classification: Custodian

Department: Department of General Services

Proposed decision rejected December 16, 2009.

Transcripts prepared.

Oral argument set for May 14, 2009.

(4) CASE NOS. 05-4338EA & 05-4339A

Appeal from Denial of Reasonable Accommodation and Constructive Medical Termination

Classification: Registered Nurse

Department: Department of Corrections and Rehabilitation

Decision rejected September 23, 2008.

Transcripts prepared.

Oral argument set for December 2, 2008, San Francisco.

Oral argument continued.

Oral argument set for February 11, 2009.

Oral argument continued.
Oral argument set for April 14, 2009.
Oral argument continued.
Oral argument set for May 14, 2009.

- (5) **CASE NO. 05-0627BPA**
Appeal for Back Pay
Classification: Field Examiner III
Department: Agricultural Labor Relations Board
Petition for Rehearing granted March 24, 2009.
Pending transcripts.
- (6) **CASE NO. 07-1920A**
Appeal from Constructive Medical Separation and for benefits pursuant to Government Code section 19253.5
Classification: Parole Agent I
Department: Department of Corrections and Rehabilitation
Decision rejected January 14, 2009.
Transcripts prepared.
Oral argument set for June 9, 2009.
- (7) **CASE NO. 06-3735A**
Appeal from Demotion
Classification: Patrol Lieutenant Supervisor
Department: Department of Fish and Game
Decision rejected January 14, 2009.
Transcripts prepared.
Oral argument set for May 14, 2009.
- (8) **CASE NO. 05-3443PA**
Appeal from Dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted January 27, 2009.
Oral argument set for April 14, 2009.
- (9) **CASE NO. 07-3362PA**
Appeal from Dismissal
Classification: Officer, California Highway Patrol
Department: California Highway Patrol
Petition for Rehearing granted February 25, 2009.
Pending transcripts.

- (10) **CASE NO. 07-3900N**
Appeal from Withhold from Certification
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
Case taken under submission at the March 24, 2009 meeting.
- (11) **CASE NO. 08-0440PA**
Appeal from Dismissal
Classification: Correctional Sergeant
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted October 21, 2008.
Transcripts prepared.
Oral argument set for May 14, 2009.
- (12) **CASE NO. 07-3822PA**
Appeal from Medical Demotion
Classification: Psychiatric Technician (Safety)
Department: Department of Mental Health
Petition for Rehearing granted January 14, 2009.
Transcripts prepared.
- (13) **CASE NOS. 07-1710EA, 07-1711A, & 07-1718A**
Appeal from 10 Day Suspension, Dismissal and Whistleblower Retaliation Complaint
Classification: Painter I
Department: Department of Mental Health
Decision rejected March 24, 2009.
Pending transcripts.
- (14) **CASE NO. 07-0940A**
Appeal from Denial of Reasonable Accommodation and Constructive Medical Termination.
Classification: Investigator, DMV
Department: Department of Motor Vehicles
Decision rejected March 10, 2009.
Pending transcripts.
- (15) **CASE NO. 07-1749PA**
Appeal from Automatic Resignation
Classification: Youth Correctional Officer (Permanent-Intermittent)
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted October 21, 2008.
Transcripts prepared.
Oral argument set for February 11, 2009.
Oral argument continued.
Oral argument set for April 14, 2009.

- (16) **CASE NO. 07-0996PA**
Appeal from Dismissal
Classification: Physician & Surgeon, CF
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted January 27, 2009.
Transcripts prepared.
Oral argument set for June 9, 2009.
- (17) **CASE NO. 07-3440A**
Appeal from 10 Percent Reduction in Salary for 13 Months
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
Decision rejected January 14, 2009.
Transcripts prepared.
- (18) **CASE NO. 06-2882A**
Appeal from Dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
Decision rejected January 14, 2009.
Transcripts prepared.
Oral argument set for April 14, 2009.
- (19) **CASE NO. 07-3873PA**
Appeal from Dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted October 21, 2008.
Transcripts prepared.
Oral argument set for February 11, 2009.
Oral argument continued.
Oral argument set for April 14, 2009.
Oral argument continued.
- (20) **CASE NO. 07-1534PA**
Appeal from Denial of Reasonable Accommodation
Classification: Supervising Registered Nurse II
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted January 27, 2009.
Pending transcripts.
- (21) **CASE NO. 07-1462A**
Appeal from Constructive Demotion
Classification: Administrative Assistant
Department: California State University, Los Angeles
Decision rejected March 10, 2009.
Pending transcripts.

D. ORAL ARGUMENTS

These cases will be argued at this meeting or will be considered by the Board in closed session based on written arguments submitted by the parties. No materials included. Material provided to Board under separate cover.

- (1) **CASE NO. 05-3443PA**
Appeal from Dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
- (2) **CASE NO. 07-1749PA**
Appeal from Automatic Resignation
Classification: Youth Correctional Officer (Permanent-Intermittent)
Department: Department of Corrections and Rehabilitation
- (3) **CASE NO. 06-2882A**
Appeal from Dismissal
Classification: Parole Agent I, Adult Parole
Department: Department of Corrections and Rehabilitation
- (4) **PSC NO. 08-13**
Appeal from the Executive Officer's December 12, 2008,
Disapproval of a Personal Services Contract for Information
Technology Services
Department: Employment Development Department

E. CHIEF COUNSEL RESOLUTIONS

No materials included. Material provided to Board under separate cover.

- (1) **CASE NO. 07-0448N**
Appeal from Voided Appointment.
Classification: Associate Programmer Analyst (Specialist)
Department: California Highway Patrol
Request to clarify decision.
- (2) **CASE NO. 07-0447N**
Appeal from Voided Appointment.
Classification: Associate Programmer Analyst (Specialist)
Department: California Highway Patrol
Request to clarify decision.

F. PENDING BOARD DECISIONS

These Evidentiary and Non-Evidentiary items have been taken under submission by the State Personnel Board at a prior meeting. No materials included.

(1) CASE NO. 07-3900N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; gang affiliation

Taken under submission on March 24, 2009.

NON-EVIDENTIARY CASES

G. WITHHOLD APPEALS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

WITHHOLD FROM CERTIFICATION

CASES NOT HEARD BY A STAFF HEARING OFFICER

(1) CASE NO. 07-2838N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; omitted pertinent information.

(2) CASE NO. 07-3101N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; minimum qualifications.

(3) CASE NO. 06-3563N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; terminated within one year.

(4) CASE NO. 08-0383N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; negative employment record.

(5) CASE NO. 08-0286N

Classification: Cadet, CHP

Department: California Highway Patrol

Issue: Suitability; omitted pertinent information.

- (6) **CASE NO. 08-0380N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative driving history.
- (7) **CASE NO. 08-0927N**
Classification: Youth Correctional Counselor/Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information.
- (8) **CASE NO. 08-0750N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information and furnished inaccurate information.
- (9) **CASE NO. 08-3907N**
Classification: Youth Correctional Counselor
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative driving history.
- (10) **CASE NO. 08-1310N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failed to register with the Selective Service System.
- (11) **CASE NO. 08-2507N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability, negative driving record and omitted pertinent information.
- (12) **CASE NO. 08-0161N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang association and omitted pertinent information.
- (13) **CASE NO. 08-1596N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation, omitted pertinent information and negative employment history.

- (14) **CASE NO. 08-0756N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failed to register with the Selective Service System.
- (15) **CASE NO. 08-2520N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; firearms prohibition.
- (16) **CASE NO. 08-1408N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; hard drug use.
- (17) **CASE NO. 08-2261N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative criminal record.
- (18) **CASE NO. 08-2246N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative law enforcement contacts.
- (19) **CASE NO. 08-0316N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Suitability; negative driving record.
- (20) **CASE NO. 08- 5421N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative driving record.
- (21) **CASE NO. 07-3837N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information.

H. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS

Cases heard by a Staff Hearing Panel comprised of a managerial staff member of the State Personnel Board and a medical professional. The Board will be presented recommendations by a Hearing Panel on each appeal.

CASES HEARD BY A STAFF HEARING OFFICER

- (1) **CASE NO. 07-1822N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (2) **CASE NO. 07-2432N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (3) **CASE NO. 07-3893N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (4) **CASE NO. 07-6458N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (5) **CASE NO. 07-2107N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (6) **CASE NO. 07-1813N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (7) **CASE NO. 07-4187N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (8) **CASE NO. 08-3169N**
Classification: CHP Officer
Department: California Highway Patrol
- (9) **CASE NO. 07-3194N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (10) **CASE NO. 07-4678N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (11) **CASE NO. 07-2396N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation

- (12) **CASE NO. 07-4132N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (13) **CASE NO. 07-3514N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (14) **CASE NO. 08-1517N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (15) **CASE NO. 07-2202N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (16) **CASE NO. 07-3511N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (17) **CASE NO. 07-4449N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (18) **CASE NO. 07- 4322N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (19) **CASE NO. 07-2417N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (20) **CASE NO. 08-1488N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (21) **CASE NO. 07-2198N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation

DISMISSED CASES

- (1) **CASE NO. 08-3376N**
Classification: Cadet, CHP
Department: California Highway Patrol

- (2) **CASE NO. 08-2544N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (3) **CASE NO. 08-3647N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (4) **CASE NO. 08-3845N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (5) **CASE NO. 07-4635N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (6) **CASE NO. 07-2254N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (7) **CASE NO. 08-4958N**
Classification: Psychiatric Technician Trainee
Department: Department of Mental Health
- (8) **CASE NO. 08-1254N**
Classification: Psychiatric Technician Apprentice
Department: Department of Mental Health
- (9) **CASE NO. 08-3461N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation

I. REQUEST TO FILE CHARGES CASES

Investigated by Appeals Division staff. The Board will be presented recommendations by Appeals Division staff for final decision on each request.

NONE

J. EXAMINATION APPEALS, MINIMUM QUALIFICATIONS, MERIT ISSUE COMPLAINTS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

NONE

K. RULE 211 APPEALS, RULE 212 OUT OF CLASS APPEALS, VOIDED
APPOINTMENT APPEALS

Cases heard by a Staff Hearing Officer, or a managerial staff member of the State Personnel Board. The Board will be presented recommendations by a Staff Hearing Officer for final decision on each appeal.

- (1) CASE NO. 09-0611NP**
Appeal from Illegal Appointment
Classification: Adoptions Specialist
Department: Department of Social Services